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Gentlemen of the  
House of Commons

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VOL. I.



# Gentlemen of the House of Commons

BY

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"ENGLAND: ITS PEOPLE, POLITY, AND PURSUITS,"

"PERSONAL FORCES OF THE PERIOD,"

ETC., ETC.

*IN TWO VOLUMES.*

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VOLUME I.

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## CONTENTS TO VOL. I.

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CHAP.	PAGE
I.—INTRODUCTORY . . . . .	I
II.—SIMON DE MONTFORT AND HIS REAL WORK . . .	18
III.—FOURTEENTH AND FIFTEENTH CENTURY ORGANIZA- TION OF THE HOUSE . . . . .	36
IV.—GENERAL RESULTS OF THE CHAPTER HOUSE PERIOD	55
V.—MEDIEVAL MP.'S AND THEIR WORK . . . . .	73
VI.—THE REFORMATION HOUSE OF COMMONS . . . .	99
VII.—THE HOUSE OF COMMONS UNDER EDWARD VI. AND QUEEN MARY . . . . .	130
VIII.—THE HOUSE OF COMMONS UNDER THE LATER TUDORS	152
IX.—THE HOUSE AND THE STUARTS; OPENING OF THE QUARREL . . . . .	199
X.—PERSONAL ASPECTS OF THE STUART OPPOSITION . .	240
XI.—THE OPPOSITION TO CHARLES I. ORGANIZED BY PYM	274
XII.—THE HOUSE IN WAR TIME . . . . .	324





# Gentlemen of the House of Commons.



## CHAPTER I.

### INTRODUCTORY.

Westminster in Anglo-Saxon times—The Witenagemot, as predecessor of the House of Commons, at work—The Scene and the Actors in it—Transition from Anglo-Saxon Westminster to Palace Yard, Westminster, in our day—Associations, political or national, connecting the two epochs—Circumstances specially favourable to the growth of Commons' Estate and Chamber in England not present in other countries—Still even there political representation a fact ; its Continental progress ; especially in France and Spain—The French States General—The germs of the House of Commons in the earliest days—Gradual advance of the principle as shown in the periods into which this work divides itself—Method of treatment explained, and different epochs contained in the book set forth—The principle of arrangement local rather than chronological.

THE scene, the precinct of Westminster, the period, Anglo-Saxon England. In a building which stood where now stands the great Hall, built by William Rufus for his dining chamber, and rebuilt by Richard II., there has met an Assembly that contains the germ alike of the Estates of Lords Spiritual, Temporal, and of Commons. The King, as President, is seated on his Throne, the sword in his right hand. Around him are grouped Court officials, officers of State, lords of high as well as of lower degree, Churchmen of varying rank, and even in these early days, chief citizens not only from London, but from less famous towns of the Kingdom. Another group among those present consists of men who, by birth, by Royal

favour, or as the reward of personal prowess, have become the possessors of their native soil. These are the landowners, called in old deeds "*Ministri*," summoned, not in virtue of tenure, but as counsellors. Different as may be their social status, their official dress is in all cases that proper to high rank; each of these predecessors of modern county members or country gentlemen has, like the King, his sword near him as if to signify that the difference between monarch and subject, Sovereign and squire is one less of kind than degree.

The provincial government of England, older than, and the parent of, the Central—from the first imperial—explains the varied composition of a company that reflects a nation. Local custom or law for the counsellor, a property qualification, varying greatly in different parts of England. Thus in East Anglia, in the eleventh, as in the eighteenth century, farms are rich and large; a Norfolk tenant farmer may therefore be of the same consideration as a Western county squire. A man of Ely, or of that part of the country, being of Danish origin, might have forty hides of land; the counsellor from Berkshire or Dorset, genuine Saxon, but in property little more than a yeoman, might have only five. Others have been summoned to the Westminster Witenagemot because they filled some provincial office under the Crown. Others, again, had no more connection with the land than the urban members, for whom the 1832 Reform Act first found a place at St. Stephen's. Beyond these portions of the deliberative group near the King, there may, as Mr. Freeman seems to think not impossible, be seen, at the extreme end of the building, a nameless crowd of the least considerable sort of commoners. These take no part in the deliberations, whether the Assembly be discharging its judicial, political, or executive business. Their duty is simply to shout "*yea*" or "*nay*." They represent perhaps public opinion. They may, in that capacity, appreciably influence the proceedings of the Witen; so in

succeeding ages have even the M.P.s., who give only silent votes, been known to act now as a check on, now as an encouragement to, Ministers; so too may the crowds which to-day assemble outside the same Westminster Hall in Palace Yard, by the reception given to Government or Opposition chiefs, convey some suggestion at times of political crisis in popular feeling.

An interval of some centuries has elapsed. The neighbourhood, if not the precise spot, is the same. The period may be our own.

In the enclosure surrounding Westminster Hall there are the familiar evidences of important work being done inside the British manufactory of statute law hard by. The two members of that Assembly who, beyond any other statesmen of the Victorian age, used to fix upon themselves the attention of the crowd, had before 1900 disappeared. More than half a generation has passed since, on April 19th, 1881, Benjamin Disraeli, Lord Beaconsfield, was laid to rest in a Buckinghamshire churchyard. When, during the May of 1898, his rival was buried in Westminster Abbey, there had departed the last of those parliamentary and national forces, whom our age has seen, amid the applause of expectant thousands, enter Westminster Hall on the way to the Popular Chamber. Men of this calibre stand by themselves among the English Commons. But the popular interest in those who sit where greater men sat before them, is not, upon important occasions, appreciably diminished. Nor is it likely that Treasury or Opposition chiefs, whatever their intellectual quality or national prominence, will ever seem so insignificant to the public eye as not to fill the approaches to St. Stephen's with sightseers, representative of the nation, on the bare chance of witnessing the statesmen's arrival. The records of public business transacted at the ordinary Witenagemots would include little of legislative or executive importance.

They would be confined to events happening entirely within the four seas ; they would consist largely or exclusively of the details into which provincial administration might resolve itself. Yet this House of Commons, as a self-existing Chamber of an Imperial Parliament, would not be the great court of national and Imperial appeal which it now constitutes, but for its predecessor of Anglo-Saxon times. Those who pass from Palace Yard into the building where their representatives struggle for places, find themselves in a Chamber of size insignificant, when compared with the Hall wherein the Witan met. Unequal to the accommodation of all those constitutionally entitled to a place, the House of Commons continues to be what almost within living memories it has become, not only the centre of an Empire, but the spot at which every beat of the political pulse of the Kingdom may be felt. That Assembly has often been said to possess collectively a wisdom greater than that of its wisest member. It has also a collective life of the most distinctive and often most picturesque kind, apart from the individual existence whereof it is the sum. At moments of repose this mass of parliamentary units suggests some natural monster peacefully stretched out at full length under a sunny sky. Presently angry sounds are heard ; the heavens become overcast, the huge form throughout its whole length quivers with emotions of excitement or disapproval. Gradually, or in an instant, its bristles, as it were, stand erect ; it lashes out with its whole frame. The newspapers next morning will publish graphic accounts of the latest scene or scandal at St. Stephen's. The rapidity with which these transformations from decorous quiet to unseemly tumult are effected ; the sudden change in the personal relations of parliamentary associates involved in the uproar, are among the most dramatic elements of human interest possessed by the House of Commons as one of those theatres on whose stage the human comedy is enacted.

The Assembly of which the Commons' House, from being at first a secondary, has become a primary part, has been called "The Mother of Parliaments" throughout the British Empire. It is, also, from another point of view, thought to constitute the best social club on the earth. That conventional aspect of it has long since been varied by the interspersions of less monastic features in the social life of the place. The ladies' gallery is a not very imposing monument of a triumph, like in some ways to that testified by the reporters' gallery, of enlightenment over prejudice. By what steps, under what conditions, through whose individual championship, these changes in the social life of the place have been effected; by what instalments through the addition of reading rooms, libraries, tea-rooms, dining-rooms, dressing-rooms, the club accommodation of the Chamber has been perfected; more recently how the women of England have claimed and secured a share in the hospitalities of the Commons; these things, not less than the development from Anglo-Saxon Witenagemot to Imperial Parliament, will all come within the limits of the present enquiry. Hence, not only the figures and careers of the human instruments in this evolution, the political and constitutional significance of the completed work of individuals; but the social transformations wrought since organized life at St. Stephen's began, will all have a place in this work. With the self-governing colonies of Britain, each furnished with a Chamber fashioned after the home pattern, the Westminster House of Commons has long since made good its claim to parliamentary parentage.

Nor in other European countries did there co-exist exactly the same social and political conditions as those under which the House of Commons has advanced from political and parliamentary subordination to parliamentary precedence. In all parts of Europe, the period from the twelfth to the close of the fourteenth century was marked by a growing dis-

position to assert that representative principle whose most minute and sustained expression is to be found in the Popular Chamber of the British Parliament. As Hallam has circumstantially shown arbitrary rule at least in theory, was uncongenial to the character of the northern nations. Nor is the British the only European Monarchy that in early days was practically elective. The full development of the legislative faculty would seem in the history of all popular Assemblies to be nearly the latest. But even between 1100 and 1300, both the making and the application of laws were not left exclusively to the Sovereign. While yet not absorbed in the Empire of *Charlemagne*, during their independent power in the eighth century, the Lombard Kings \* had convened their representative subjects, theoretically or actually in the presence and with the consent of the multitude at Pavia. Under the Merovingian monarchs,† the Parliaments of the Champ de Mars, originally held as their title implies in the month of March, brought together twice a year all landed proprietors in their own persons or other deputies.‡ Of their exact composition, especially of the proportions borne by the clerical to the lay element in these bodies, there seems much doubt. But that they were genuinely representative as well as that their popular voice was not disregarded in the choice of Emperor or King, there seems no doubt. Within, or very near to the limits of, that century which saw the English Commons settled beneath a roof of their own at Westminster under Edward I., in France Philip the Fair confessed the baronial assemblies to be a check upon his absolutism and rapacity. Paris was already the recognized seat of a Parliament. To that city did the French King summon the French States General, perfectly

\* Especially Zuitprand, King of Lombardy, 712 A.D. Hallam's *Europe*, II., 238, footnote.

† For exact details and original sources, Hallam, I., p. 239, footnote.

‡ Hallam, *Ibid.*

distinct as these of course were from the Paris Parliaments.\* The French baronial gatherings never seem to have formed so real a check upon the Kingly power as did those in England. Yet Philip the Fair would not interfere with the privileges of his barons as regards taxation. Not apart from the barons' pressure he convened in 1302 the States General. Thereafter the representative principle sometimes precariously, but upon the whole steadily, under the successors of Philip the Fair, advanced in France. Louis Hutin† so-called by Hallam is said to have bound himself and his successors to levy no tax without the consent of the three estates, in other words the representatives of all his people. While in England under the first three Edwards, the Commons were organizing themselves as a power, the States General of 1355 and 1356 were resisting the Royal authority in France. The traditional popular liberties of the Northern nations could not indeed be restored by any such organization.‡ The very memory of the general diets which established the Carolingian capitularies had perished. To fourteenth century France, Charlemagne himself was known only from ballad and romance. But the popular committee chosen out of the three orders in 1355, carried on the work of the nominating assembly; it secured a kind of popular supervision, not only over the imposition and collection of taxes, but also over the imperial policy in matters of peace and war.

In England, under Edward III., as will presently be seen more in detail, stringent steps were taken to prevent the popular Chamber from being swamped by lawyers. Meanwhile, in the Paris Parliament, this class was gaining a preponderance prophetic, as it now may seem, of the volume in which during our own days French lawyers have found their way into nineteenth century Chambers of Deputies.

\* See Hallam, I., pp. 257 and following.

† Hallam, I., p. 255.

‡ Hallam, Vol. I., p. 257.

Originally the Paris Parliament of Philip the Fair and of his successors, seems to have consisted of two counts, 13 clerics, and 13 laymen. Gradually the clergy and nobles ceased to receive, or at least to answer to, their writ of summons; the lawyers were masters of the situation; the Paris Parliament became a body for the accumulation of legal or constitutional precedents. It may even have darkened practical counsel by raising upon all occasions technical issues of literal legality, by discussing the interpretation of Statutes instead of concerting or applying laws to actual crises of affairs.

While the Paris Parliament was entering upon this stage, the commoners in the States General were being exclusively identified with urban as opposed to rural interests; they lacked, therefore, that august and invigorating association with territorial privileges which first gave importance to the English Commons, and afterwards reinforced by the burgesses who represented chief centres of the population, made the representation of our Popular Chamber co-extensive with every division, every aspect and every interest of the national life. As regards the chartered towns of the Continent, experts differ in opinion in respect both of the date and of the origin of their rise to power; admitting their popular utility as a counterbalance to the powerful vassals of the King,\* some incline to refer their rise to the reign of Louis VI., though not denying the possibility of an earlier date. Hallam, however, rejects the view that would connect them with the results of the Crusades. Gradual encroachments and the concessions of the Franconian Emperors—these things rather even than the deliberate policy of Louis the Fat to counterbalance his greater vassals are mentioned by Hallam † as chief among the causes that throughout France made the towns a power during the thirteenth century. Here it may be noticed England had given her neighbour the lead, for the reign of

\* Hallam, I., p. 297, etc.

† Vol. I., p. 300.



Henry II., so prolific in the erection of English corporations, began and ended within the twelfth century.

Before passing to the thirteenth and fourteenth century development of the representative principle in Spain, it may be as well to give a rather fuller account of the first convocation of the States General in France by Philip the Fair. The English Commons rose when the barons invoked them as allies against the Crown. The French Commons became a political power when the Crown called in their aid against Papal aggression. As Bishop Stubbs remarks,\* and as the researches of Lalanne and others have more minutely shown, there exists an analogy between the Great Council of the English Kings, and the Paris Parliaments; the same resemblance may be traced between the third estate of the States General and the English Commons. How far Edward I. may have borrowed any of his ideas from Philip the Fair, or how far Philip the Fair may have borrowed from Edward there is no evidence to determine. Both Kings were influenced by the political notions of their epoch, the thirteenth and fourteenth centuries. But while the French House of Commons gradually became a body for registering the decrees of the King's Council, the English Commons steadily progressed till it was a power first for controlling, secondly in no small measure for superseding that Council in its development of the House of Lords. After the Edict of Boniface VIII., known as the Bull *Ausculda Fili*, declaring the supremacy of the Church over the State, Philip saw that nothing remained for him but to appeal to the nation as against the Pontiff, and to lean upon the estates composed of the three orders—clergy, nobles, and commons, among his people. He sent letters throughout his Kingdom expressing his wish to communicate with these representatives of his subjects, desiring their attendance at Paris during the April of 1302. The first States General

\* *Constitutional History*, II., p. 265.

was in fact held on the 10th of April of that year at Notre Dame. The result was the national endorsement of the anti-Papal policy of the King; the decision was reported, in writing, to the Pope by the clergy; by the nobles and the Commons united to the Cardinals. This of course with the idea of emphasizing the national unity in Roman eyes. Other assemblies were convened on the same subject by Philip the Fair, but in these the bishops and the nobles alone took part. Unlike the Parliaments of the same period in England as to their motive and the subject matter of their discussion, these fourteenth century gatherings of the French Estates General resembled the Parliaments of England in that they met at no fixed place, but wherever the King for the time was holding his Court. Most or all of the States General held under Philip the Fair were concerned chiefly or exclusively with questions of Church and State like the foregoing. Later in the fourteenth century, the French Estates under Philip V., 1317, settled the succession to the Crown on his sons, disqualifying the female line. In 1351, under King John of France, the States General were summoned to discuss the war against England and to raise the necessary subsidy. The English Commons, as their importance grew, gravitated more and more towards Westminster as a place of meeting. So the political aggrandizement of the French Estates General was shown by their convention in the Chamber of the Paris Parliament. The importance of these different meetings of the States General varied, just as did that of their English equivalents. But, notwithstanding occasional retrogressions, the movement was upon the whole steadily upward and onward. The last States General before the memorable 1789 meeting, was held in 1614.\*

In Spain, the chartered towns had politically asserted them-

\* For all or most of these facts and dates, see the article on the subject in Lalanne's *Historical Dictionary of France*, edition 1877, pp. 723 and following.

selves at least half a century earlier than in France.\* Thus, as did not escape our earlier political writers and speakers, the most formidable of England's earliest enemies being also the country in which the principle of popular representation found soil scarcely less nourishing than at Westminster itself. English travellers in Spain to-day are surprised by few traits of the inhabitants more than by the independence of their social bearing and address, whether towards the higher class of their own country, or towards their visitors. This may be a social survival of that underlying democratic principle which even in the chosen land of old aristocracy as well as of the Inquisition secured for the estate of the Commons in their own Chamber of the Cortes an authority as regards volume and organization comparable with that of English representatives, whether in the Chapter House or St. Stephen's Chapel assembled. To a degree beyond what was known in France or England, the civil rights and privileges of Spanish towns were independent of Royal favour, and came to them from constitutional tradition, though perhaps based largely on charter originally a royal favour. The constitution of the Cortes differed of course in the various kingdoms of Spain. But speaking generally, every considerable town in Spain, even in the period during which parliamentary representation was being organized in England, should have received a writ for the election of Cortes deputies to the provincial Cortes (for national Cortes did not exist). That this right was practically enjoyed, as well as constitutionally existed, may be inferred from certain historic facts.

In 1315,† the Cortes of Burgos consisted of 192 Deputies, some clerics, barons, and landowners, but many, too, representatives, from 90 different towns; in 1391 the Madrid Cortes comprised 126 delegates representing 50 urban constituencies; this Assembly passed many memorable en-

\* Hallam, II., p. 2.

† Hallam, II., pp. 29 and following.

actments, especially the entire code of *Siete Partidas*, drawn up by Alfonso X., of Leon and Castile, 1252-1284. But while in theory Spain may seem to be the parliamentary contemporary of England, the meetings of all these Cortes were less regular, and the operation of the representative principle was more precarious, than, once it had been established here, it proved to be in England. Here the electing boroughs in each successive House of Commons varied; the aggregate of electors was maintained at nearly the same point. In Spain the electoral register was, even for those days, very loosely kept, whole constituencies slipped out of the roll almost as easily as individual electors. Still the Spanish Cortes, and especially in the kingdom of Castile, kept their representative character pretty uniformly, at least till John II. and his son Henry IV. These monarchs, in their unpopularity, allowed writs only to towns specially approved by them. The impoverishment of the population by Civil War made the electors willingly save the expense of a deputy; thus no deputies from the Kingdom of Leon came to the *Alcala Cortes* of 1348;\* thus, towards the end of the fifteenth and the beginning of the sixteenth centuries, only seventeen Spanish towns were represented in the Cortes of Castile. Still the Castilian deputies never ceased by word and deed, so far as possible, to protest against the aggressions both of John II.† and Henry IV.

A further point in the contrast between the parliamentary retrospect of England and Spain is that, while with us, the Church was, on the whole, a power on the side of the Commons, the Spanish clergy in all the Kingdoms represented in the Chamber of the secular nobles identified themselves with the lay lords. To the Cortes they were at least indifferent, the Archbishop of Toledo denouncing as invalid all the Cortes procedure between 1373 and 1505

\* Hallam, Vol. II., pp. 30-1.

† Hallam, II., p. 30.

on the ground of the exclusion of the ecclesiastical element from those assemblies. Again, while the early strength of the English Commons came from the representation of the landed interest in it ; while, even in the earliest States General of France, that power deliberatively asserted itself ; nearly the exact opposite of this was the case in Castile, the fact would seem to be that the Spanish Commons were never much more than the delegates of towns, not the representatives of interests co-extensive with the nation. What should therefore cause surprise is, less that they failed to do for their country what the men in our own House of Commons have accomplished for England, than that they succeeded in organizing so successful a resistance to Royal exactions of money, or nomination of Court favourites as Ministers. The constitutional idea of the Peninsular Parliaments or Commons was sound enough. During two centuries, these parliamentary patriots insisted upon the cardinal doctrine whether against an Edward or a Charles of the English Commons—namely, the duty incumbent on the Crown of answering popular petitions before either the moneys be voted, or the Assemblies be dissolved.

There are, however, other and more specific reasons why neither the Spanish nor any other Continental Chamber of the Estate of Commons acquired a substantial portion of the national authority and power which, as in the next chapter will be shown, became concentrated in the British Commons within a hundred years of the first settlement of that body at Westminster under Edward I. The general attenuation of feudal tenure in England conspired with the absence of a feudal *noblesse* to consolidate a growing union between the untitled branches of the aristocracy of birth, and the ever-growing aristocracy of industry or wealth. In those chapters of Gibbon bridging the gulf between the city life of ancient and of mediæval Italy, few facts stand out more prominently

than that of the price paid for aristocratic encouragement of the urban politics of Lombardy, being the concentration of urban life in a few hands; the withdrawal from it of the popular element and the consequent substitution of oligarchies for republics. Something of the same sort, or even more prejudicial to the estate of the Commons happened in Spain. Here, as in other Latin countries, the cordiality between King and nobles was not naturally greater nor more continuously unbroken than in England.

But with us the barons, great or small, were, in the long run, constrained to make common cause with the citizens against the Crown. If Italy be the country which most dramatically illustrates the political power of aristocratic associations for a common political purpose, the same principle showed at times equal activity in Spain. Nor perhaps does any single fact better explain the inherent difficulty against which the Cortes had to contend than the indifference of the nobles to it, and their preference for voluntary associations and armed confederacies amongst themselves as the best way of dealing with a rival power. Thus almost before the modern period begins, the Spanish Commons, lacking as has been seen numbers, lacking, too, the inspiring strength of trial by jury as well as the connection with territorial aristocracy shown by the representation of freeholders dwindled to a few city deputies, not indeed without numbers, but without the organization or the influence for holding, even in Aragon, a just balance against the Crown. A like moral is pointed by the fortunes of the States General in France. The three orders convened in the fifteenth century by Philip the Fair denounced indeed the pretensions of Pope Boniface VIII., who had forbidden his clergy to pay taxes; even the professional members of the Papal flock denied the Pontiff's temporal jurisdiction. But the Papal answer was the famous ecclesiastical Constitution known as "*Unam Sanctam*"; nor

among the causes for the decline of the Papal power can the protests of the States General abroad occupy the same place as obviously belongs to the action of the English Commons.

\* \* \* \* \*

Enough has now been said to prepare the reader to understand the relations occupied by the fact of popular representation in England, to the development of that principle in other countries about the same period. He has also been placed in a position to form some idea of the reasons why the House of Commons struck deeper roots as well as found a soil more favourable to its growth in England than elsewhere. The more specific objects, therefore, of the present enquiry may now commence.

Hallam has spoken of certain patriotic authorities with whom it is a breach of parliamentary privilege to doubt the identity of the British Parliament with the Anglo-Saxon Witenagemot as it met before the Conquest. To others it may seem equally appropriate to refer the origin of the House of Commons as a governing Estate to a still earlier period and usage. If the germ of this Assembly is to be historically examined, may not the historic imagination look for it in the village Moots of Friesland or Schleswig? Here, as some have fancied, our Saxon ancestors discussed their affairs before history began. Here, and at no later date, the first settlers of England were learning to make her a mother of Parliaments. In this same region, the primitive farmers, returning to their homes, indulged the deliberative instinct inherited from those forefathers whom Tacitus has described as talking over the welfare of their community and its promotion. Obviously no limits can be fixed to the range of the retrospective vista thus opened. It seems therefore best at once to descend to a period of which there is more exact and authentic record, and to take that as our starting point. But though this cannot be much earlier than Simon de Montfort and the thirteenth

century, the principle of Commons representation was established during the Norman period within four years of the Conquest.

In 1070 William the Norman called together for the purpose of his instruction on local customs and needs twelve experts in these subjects from each county. In a more or less informal manner—generally less than more—succeeding Kings convened to different centres the same sort of representative advisers. To such gatherings, never numerous, the words Council and Parliament seem to have been indifferently applied. After the Norman Conquest, the palace of the King became to the Kingdom at large what the mansion of the lord was to any particular manor. Unlike the home of the manor lord, the King's palace and court were not fixed in any one place. Whatever advisers he pleased to call in waited on him where at the moment he happened to be ; sometimes Westminster, at other times Winchester, Gloucester, or any other provincial capital at which the Court was fixed. The settled nucleus of these periodic and precarious meetings consisted of Royal Household officers, and then gradually of the most considerable vassals, or retainers of these. Not, indeed, before Parliament had been regularly localized at Westminster ; before the Lords had been separated from the Commons, and the Commons domiciled in a Chamber of their own, did the House of Commons enter upon its history. The idea of parliamentary representation had existed as early as the reign of King John. It never quite died out afterwards. The practice of representation advanced so slowly, that before the end of the thirteenth century, no continuous narrative of the House of Commons can conveniently begin. Under Edward I., in 1295, parliamentary representation had begun to mature.

What is now contemplated being, not a recapitulation of the slow progress towards Constitutional Govern-



ment made under successive Sovereigns, but a survey of the advance won by the Commons alone, it seems desirable to disregard so far as may be the sub-division of history into reigns, and to look at the Commons during their settlements in the different homes they have occupied. Such a principle of arrangement will, it may be hoped, secure something like continuous unity in the case of a subject where temptations to digression must so often and so powerfully present themselves.

The book, therefore, will historically consist of, and logically comprehend, three epochs. During the first of these—that is, throughout part or all of the thirteenth, fourteenth, fifteenth and sixteenth centuries—the House of Commons met, not perhaps invariably, but generally, in the Abbey Chapter House. Here it seems to have been actually sitting when Henry VIII. died. With Edward VI., in 1547, came the establishment of the Commons at St. Stephen's Chapel. Here, practically, they may be said to have remained till that meeting place was burnt in 1834.

Then came a decade's sojourn in a temporary Chamber. After this the Commons found the abode in which they are to-day. So that the later narrative of the Assemblage and of the Estate will sub-divide itself into parliamentary periods distinguished by the work done, or the leaders under whom it has been accomplished.

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## CHAPTER II.

## SIMON DE MONTFORT AND HIS REAL WORK.

Simon de Montfort's statue at St. Stephen's—Its personal suggestiveness and historic importance—A certain appropriateness illustrated by later parliamentary examples in the fact of an early maker of English Parliaments not being himself an Englishman—Early antecedents of the man and special fitness for his later work in his earlier training—His friends and enemies ; possible cause of quarrel with Henry III.—Events leading up to the 1264 Parliament ; events following from it—Faults of his character ; political mistakes ; real place and value of his work ; his hold upon popular feeling and imagination ; shown by ballads and rumoured miracles.

A FIGURE tall, well-proportioned, obviously strengthened and developed by all the athletic and knightly exercises of his age ; a brow more broad than lofty, eyes rather deeply seated, flashing a look of resolute purpose over features of the Greek type ; such in the flesh was the thirteenth century consolidator rather than founder of the House of Commons. Rightly, therefore, does the statue in white marble of Simon de Montfort stand near the statue of Falkland in the central approach to the House of Commons of our day. Montfort is the type of character dramatically prominent at several periods in the annals of the Commons—one of those men who, neither popular in themselves, nor conciliatory in their manner, rise first to influence, then to general esteem, to receive in their death the honours of apotheosis. Distrusted as of foreign birth, and of tastes not English, acquired during his long sojourns abroad, Montfort is the first of those political

personages who, beginning under apparently insuperable disadvantages becomes equally a power with Crown or people, and long before his end is canonized as a national worthy. So between five and six centuries after Montfort's day, two men, heavily handicapped at starting like himself, were to become first powers in the State. As had been the case to some extent with both the Pitts as well as more decidedly with Canning, Benjamin Disraeli\* had to live down the most adverse conditions of a personality and of a race equally unacceptable to the politicians and the people among whom he was to rise to mastery. Disraeli's great rival, Gladstone, almost boasted of being without English blood, identifying himself, not with his Lancashire birth-place, but with his ancestral Scotland. Of other great parliamentary chiefs in modern times, Charles Grey, who first created popular constituences, was of pure Norman descent. Palmerston was Irish. It seemed therefore according to precedent that Disraeli, the founder of the new democracy, should be Asiatic or Portuguese† rather than British; that Gladstone, who broadened the democratic foundation, should be Scotch. The foreign parentage of the famous builder of the House of Commons was thus the appropriate establishment of a tradition liberally to be followed thereafter. His

\* There is more appropriateness than may at first be apparent in the juxtaposition of these two names, separated by so many centuries. In the little church at Hughenden, close to the manor pew which Disraeli used to occupy, may be seen the tombs of Simon de Montfort's sons. These scarcely deserved, perhaps, the eulogy bestowed upon them as "worthy of the Temple Church" by Disraeli himself, but to-day their interest is of a very real kind, because not many paces off is the mural tablet placed in the church by Queen Victoria in affectionate memory of her statesman. Thus within a narrow space are seen in most dramatic contiguity, a sort of monument to the traditional founder of Parliament, and the tribute of the British Crown to the author of Household Suffrage, who, centuries afterwards, in effect completed the work which, in a way, Montfort began.

† The original name was Lara. See Benjamin Disraeli's family biography in the preface to his father's *Curiosities of Literature*.

French extraction, his long absences as Governor of Gascony on the Continent were thought by his contemporaries likely to estrange Montfort's sympathies from the England of his adoption. They undoubtedly exposed his political patriotism to suspicions resembling those that only in his old age ceased to harass Disraeli. Yet these seeming disqualifications were needful for the success which Montfort achieved. It is not only that his foreign name and his long sojourns abroad ensured him the detachment favourable for the impartial and philosophic study of the real drift of events in England. These same absences enabled him scientifically to study better than in his adopted country he could have done, the social and political occurrences which were transforming the world and introducing everywhere the new order.

In mediæval days the geographical divisions of Europe into nationalities indicated distinctions less real than they have since become. The polite classes of the Western world had a common language, a common literature—both French. These classes, too, were further united by identity of employments and pursuits.

During our present century in England, and to some extent elsewhere, the Turf is the institution which has reduced the wealthier orders to a common denominator. What in our day has been done by the racecourse and the racing stable, was effected in Montfort's time by the chase and by war. These constituted the two great interests of aristocratic Europe. They made those composing that aristocracy members of a disunited and war-waging family. Himself an old Crusader, and a Crusader's son, Montfort recognized one of the European consequences of these consecrated struggles on Eastern soil to be the investment of the national or international principle with a quickening power that was entirely new. He had, as he thought, during his foreign exile, seen at work among the community those movements which

afterwards prompted the popular demand, as has been in the preceding chapter seen, in the France of Philip the Fair and elsewhere, for participation by the Commons in the rule of Kings and Parliaments.

Before finally settling in England, Montfort had paid many visits to London; he had studied the social and commercial policy of the capital with the systematic freshness of an intelligent foreigner and the interest of a naturalized citizen possessed of English estates and an English title. He had seen the commonalty of the city on the Thames rising to a prosperity of trade unparalleled since ancient Carthage as well as to a civil and political authority for which history gave no precedent. He had seen too, Sovereigns, not only recognizing this new improvement in their subjects' welfare, but availing themselves of it for their own purposes in peace or war. In other words, Montfort was the first politician of his epoch to observe the beginnings of a middle class generally throughout Europe, but especially in England. Hence came the conviction of an impending and inevitable redistribution of political power.

He read indeed no signs of doom to the monarchical principle. While still administering the French province of Henry III., and anticipating his official difficulties with his Royal master, Montfort was also conscious of the forces that were already making modern England, which priests and princes were already constrained to acknowledge. Further, the commutation of military service for scutage introduced by Henry II., had at first seemed likely to increase the independence of the King. As a fact it rendered opposition easier and therefore more natural. The popularity gained by ecclesiastics as leaders of national opposition to the Crown, especially by Hugh, Bishop of Lincoln, under Richard I., and by the Archbishop of York in 1207, had long convinced all political students of the feasibility of resistance to a power

long deemed as unconquerable as fate.\* Above all, Montfort remembered the principle of political representation to have been at work here in the days of John, or even of earlier Kings. Since then, he had seen the London traders so flourish in their undertakings, that, as Hallam mentions, popular speech gave them *brevet* rank as "barons." If there were no other city in the Kingdom in power and prosperity like to the capital, there were many only a little inferior to it in degree, not in kind.

But other influences than these were moulding the mind, and preparing the action, of this shrewd, imperious, power-loving, yet not entirely self-seeking, soldier of fortune. His statue shows him in the characteristic attitude of leaning on sword or staff during the musing intervals of administration or war. Everywhere around him was food for reflection. The work done by the Dominican and Franciscan friars during the thirteenth century in England, has been often compared with the teaching and preaching of Wesley and his disciples at a later day. But the influence exerted by the followers of Sir Francis made itself felt not less in politics than in religion. The equality of men before their Maker, therefore their common claim to a participation in those things which make earthly existence happy, or at least tolerable—were the two chief texts of the gospel now preached throughout the Western world.

The training of Montfort himself, had, from the first, been in nearly equal proportions religious and secular. His father, the stern Crusader by turns statesman, fanatic and adventurer, who, as the servant of the Pope found so short and sharp a way with the Albigensian heresy, that strange blend of Magian superstition and Evangelical piety, early discerned the abilities of his son; he rigorously trained him for the service of God and man. The ecclesiastical zeal of the father was

\* G. W. Prothero's *Life of Montfort*, 1877, p. 13.

humanized into moral earnestness in the son. The elder Montfort spread fire and sword throughout a province to serve a Pope. The younger Montfort risked alike the displeasure of Pope and King to serve, perhaps himself, but certainly his fellow men. The sturdy zeal of Aragon for constitutional bulwarks against the exactions and aggressions of the Throne, has been mentioned in the preceding chapter. To the elder Montfort, all that had happened during two centuries in Europe with its social or political moral, was an open book ; his strong memory lost nothing which promised to be serviceable for his own warning, and for the instruction of his gifted boy. In this way Simon de Montfort learnt those early lessons in contemporary Europe which, in after years, he was to translate into English practice.

Other events than these, and in a different part of Europe, were also to mould his mind and to inspire his action. His marriage in the January of 1238 to the widowed sister of Henry III., the Countess of Pembroke, threatened at first to be his irretrievable ruin in Church and State with his Sovereign, with his brother barons, with all his countrymen. The bride had indeed been given away by her brother, the King ; the ceremony was duly, if privately, performed in that very St. Stephen's Chapel, with which, in another context, the name of the bridegroom was to be linked for ever. But, ecclesiastically, the validity of the nuptials was doubtful. The bride, on the death of her first husband, Pembroke, had taken a vow, it was said, of perpetual widowhood ; had even, as some asserted, assumed the black veil in a convent. Politically, the wedding omens were scarcely more favourable. Of the arranged match nothing had been said to the baronage as a body, or to those members of it who composed the King's Court. Such reticence, from whatever motive, was sure to be resented by Montfort's fellow nobles as an affront. England, for the time, ceased to be a hospitable place for him. His exile

may, as some think, have precipitated and embittered the subsequent quarrel with his King ; it was to be an essential and fruitful part of the education for the great business of his life.

To secure, if possible, the Pope's ratification of the impugned marriage, Montfort, early in 1239, having raised the necessary funds on his Leicester estates, set out for Rome. In the course of that journey he visited the Emperor Frederick II., his brother-in-law, then triumphantly marching through the plains of Lombardy. Those Lombard cities were astounding monuments of capacity to withstand alike nobles and Sovereign ; they were the more developed types of what London and some few other English towns were becoming. Montfort, by birth an aristocrat, by temper an oligarch, at once discerned another check than barons or Knights of Shire on the Crown. His horizon henceforth widened ; his political education was quickened. Hitherto, county representation had been his sole advance in idea on baronial independence ; now he foresaw the borough member. Evidently the urban principle as well as the national was characteristic of the age. Such may well have been Montfort's reflection, and such perhaps the burden of his talk with his elder brother-in-law, the Emperor. Nor were these the only experiences acquired during this foreign tour. Bordeaux, the capital of the Continental possessions still held by England, was the centre also of political turbulence and intrigue. Here, that he might see for himself the cause and character of Gascon disaffection to the English Crown, Montfort made a long stay. He did not, indeed, carry away with him from that rough school all the lessons which he might have done ; his temper remained his enemy throughout his life. But quickness in reading the political signs of the time—accuracy in judging the importance to be attached to phases of noisy discontent ; much skill and some patience in dealing with those varieties of public



character, which, in all ages and in all countries, rise during troublous times to the surface—these are things that Montfort did learn, and that he never forgot. Though at no time did he show any of the priestly fanaticism or superstition of his father, his nature from a boy had been deeply religious, and sensitive to spiritual instruction of every phase. Such was his friendship with, and his confidence in, Grosseteste, the future Bishop of Lincoln, that Montfort had entrusted to him during his absence, the education of his sons. Adam de Marisco, the head of the Franciscan Order at Oxford, was another of these spiritual guides. Politics and theology as moulding forces were merged in each other. Politically, under the Franciscan influence, Oxford was then a Liberal centre. The whole youth, all the towns of the country, caught the Oxford spirit, of which Montfort stood forth as the incarnation. Both Marisco and Grosseteste, knowing the defects of Montfort's character, were constantly imploring him to remember the example of the Mons Fortis—the true origin of his name—that strong mountain, who was Jesus Christ, and whose service to humanity lacked the alloy of harshness which was Montfort's besetting sin. If, as Bishop Stubbs has so circumstantially explained, the fourteenth century marked throughout Europe the rise to power of the Commons' Estate, the spiritual preparation for that had been in progress a hundred years earlier. Everywhere during the thirteenth century in Europe, there abounded signs of the doctrine of human equality before God as expounded not less by the Franciscans than by Wycliffe himself, having touched the innermost heart of the people. When, therefore, about 1250, Montfort returned to England, it was with a mind steeped in the broader and deeper teachings of religion, and disciplined by more practical and special experience of politics and politicians. He had succeeded in the particular task allotted to him, for he had made Gascony as quiet as Leicestershire. But

the labour had been accomplished at the cost of much blood and treasure, as well as of exposure to the charge of abuses and cruelty committed by Montfort himself. A Commission of Enquiry followed. The Administrator was acquitted; but upon his arrival in England, he found a Sovereign embittered against him.

Henry III., a pious as well as clever and not entirely malevolent prince, had not only anticipated most of those faults, the absolutism and perfidy, which were to be the undoing of the Stuarts; he had some failings which the Stuarts lacked. Men might risk their lives for Henry; no service of his subjects moved gratitude in the King; as if to justify such baseness, Henry requited the loyalty of his servants with accusations of the most odious kind, prompted by a mean jealousy of qualities that, superior to his own, had laid him under obligations, which he resented. Thus Montfort was charged first, with having, by his seduction of her, made his marriage with the King's sister inevitable; secondly, with having bribed the Roman Court with his gold to obtain recognition of those unhallowed nuptials. A little later another count was added to his Sovereign's indictment—that of having, in some unexplained manner, made the English King responsible for the cost of appeal to the Roman Bishop. In the same way, some time before this incident, the same monarch had brought a like charge against the venerable Chancellor De Burgh, *i.e.*, that of making the Scotch King's sister his wife by the device of first degrading her to his mistress. All the probabilities seem to be morally conclusive as to the innocence of Montfort; there is no proof of Henry's amazing words being believed by their speaker; there is proof, on the other hand, of the accusation being entirely discredited by Montfort's great friends, Grosseteste of Lincoln, and Marisco.\*

\* Bishop Creighton's monograph of Simon de Montfort, *ad. loc.*

In the preface to *The Last of the Barons*, Lord Lytton has claimed for the novel, as a hand-maid to history, a place rather like that which, according to Bacon, hypothesis fills in science. To explain the mysteries of personal relationships left obscure by the chronicler, is said by the novelist to be the province of historical fiction; in the work just named the theory is illustrated by the explanation of the origin of the quarrel between Edward IV. and Warwick, the King-maker. A like field for the historical romancist is open by Henry's sudden feud with Montfort. The facts, however, may not be, after all, so obscure. Though Montfort had propitiated the Pope as regards the marriage, he had incurred his displeasure by the visit to Frederick Barbarossa, Montfort's Imperial brother-in-law. Devotion to the Papacy was the one constant feature in the character of Henry III. In everything else he was the creature of the stronger will with which, for the moment, he was brought in contact; his actions were inspired by the latest counsellor who had his ear, and who, in the present case, may well have been one of Montfort's many foes. Montfort was the one strong opponent of the Pope near to Henry of England. Rome, therefore, had every motive for trying to discredit this masterful baron with his Sovereign.

At the juncture now reached, the Roman Church and its exactions from English clergy and laity were one, though not perhaps the chief of the grievances alleged by the barons as representing the people as against the King. In words which the most modern analogy renders familiar the popular demand of the barons made periodically during several years past, may be summed up in the phrase, "England for the English." Whether the offender were a Plantagenet or a Stuart, that the King would be pleased to remove from him evil counsellors, is always in the foreground of national complaint. In the present case the advisers protested against were not only anti-nationals, but actually aliens as well. Castles, estates,

and so whole villages of English born, were in the hands of the foreign favourites of the King. That all strongholds and practically all territorial properties bestowed upon foreign lords should be replaced in English hands, was the burden of every petition made by the barons to the King. Montfort set an example of this self-denying ordinance by offering to resign Kenilworth, a palace which was to the Midlands, then, what Chatsworth is to Derbyshire to-day. The organized rising against Henry III. took place in 1258. From that date there followed in tolerably logical succession the events that led to the first fully constituted, though as yet only embryonic, Parliament some half dozen years later. But for the money needs of war, domestic or foreign, the King might have contrived still longer to postpone meeting those of his higher subjects, who did, on these occasions, fairly represent the whole nation, and the barons it was who, by attaching the weaker of their own body to the Shire Knights, made the House of Commons possible.

After one or two adjournments and shiftings of the scene, the two parties finally confronted each other in the Great Council at Oxford. Usually this body mustered not very easily about fifty members. On the memorable 11th of June, 1258, the number exceeded one hundred. Now first was sounded that note which was to be threateningly audible in the long struggles yet to come between King and people. In other words the struggle for the Executive had fairly commenced. The initiative or control of legislation was not yet mentioned. Montfort himself, a baron always and not a commoner, never seems to have looked forward to the Commons as an important party to, far less controller of, legislation. Representation he saw to be necessary; of its practical results he had no clear idea. Guarantees against official corruption, or the installation of foreigners in high place; these—in the days when as yet the House of Commons

was not—nearly summed up the popular claim. The Oxford demands, however, did, by implication, anticipate as a security for their concession, a House of Commons sitting in a fixed place, the Capital for choice. Thrice a year it was stipulated Parliament should meet at Westminster; in those Parliaments twelve representatives of the barons were to confer with the nominees of the King. Yet another point of prospective importance is associated with the Oxford Provisions. They were the first official document set forth in the English language. The Commons' debates in the fourteenth century were to contribute, not less than the poetry of Chaucer or Gower, to the making of the national speech. Throughout our history the literary and parliamentary streams flow side by side. Nor till, in the next century, the native tongue had finally triumphed over Norman-French, and Geoffrey Chaucer had done for the English language what a Roman poet, Ennius, had done for the Latin, could the House of Commons, as a popular body for legislation and debate, become possible.

Of the specific demands formulated at Oxford, the subjection to parliamentary authority of the Chief Justiciar was the most important; for this august official united in himself the supreme ordering, not only of all legal, but of many administrative and incidentally of certain fiscal affairs as well. If Montfort's tact had been equal to his strength of purpose, or to his acuteness of political vision, he might, after the Oxford Conference, have averted the series of events that ended in the Barons' War, and the battlefields of Lewes and Evesham. Already there were signs of disunion among the barons. Montfort had a rival in Richard of Clare, Earl of Gloucester. The latter was a politician of the opportunist type, attached to the popular cause by no strong conviction, by no overpowering interest; but because to support it seemed the obvious policy of the moment. Montfort, ever

keen to identify ambition with higher sanctions, on the other hand rested his cause on a sense of duty with which the religious teaching of the times, and especially of his Franciscan friends had inspired him. Only his temper and his manners, against both of which his clerical friends had cautioned him, prevented his fusing into one compact party the barons of both degrees, and the people as represented by their Knights of the Shire if not as yet by burgesses.

Henry III., if not the ablest of the Plantagenets, was the quickest to see the weak points in an adversary's position. He showed the shrewdness of a Turkish Sultan in discerning actual or potential disunion among the men with whom he had to deal. On the other hand he had the Pope and the whole Royal influence of Europe, as centred in the French King, absolutely with him. As a matter of course he obtained papal absolution from his Oxford oath. The Provisions as a political instrument were not worth the material whereon they were inscribed. But the English language wherein they were written was the symbol, that even the King might have heeded, of a national unity gradually being accomplished, of which the Commons' Chamber was to be the outward and visible sign. Henry, in fact, was doing for his opponents what Montfort could not of himself have achieved. His ineptitudes, his perjuries and tyrannies were ranging without respect to rank his subjects against him under the first popular leader the country ever had, but one also who, more than any who had been before, or were to be after, was the creation of his epoch, and the instrument of opportunities not of his own making. With a fine show of magnanimity as if to take no mean advantage of the immunity granted him by the Holy See, Henry even convened a body, Council or Parliament, consisting of the barons, not at Westminster, but at the Tower during his captivity, inside which were to be consummated those events that should, a little

later, produce further up the Thames' shore, the first House of Commons which ever sat.

While the King thus by his own act became a prisoner in the great stronghold of his capital, from the first attached to Montfort, a sense of victory was not only uniting the barons among themselves, but gaining outside their ranks those allies who were to assert for all time the representative principle in the polity of England. Had—as was the case in other countries where feudalism was more fully developed than in England—the King been able to crush the barons or the barons been too strong for the King, those popular liberties, whose monument is the House of Commons, could in neither case have been achieved. Some consciousness of this equipoise, to be so prolific in great results, prompted the barons a year or two before Montfort's Parliament to take a step which more than any other single incident showed the day of the House of Commons to be near. The King, freed by the Papal Bull of 1261 from the duty of keeping faith with his intractable subjects; strong in the expectation of foreign mercenaries to assert that Bull on English soil, gave the first signal for war by expelling from office the sheriffs whom the barons had installed. The barons promptly replied by summoning to meet them at St. Albans three Knights elected from each county, and possibly certain representatives of the towns as well. At last Montfort found himself the accepted chief of a real and confident party. His mistake now probably was that he failed to set the King at large. A liberated Sovereign assisting at, and assenting to, the deliberations of his subjects, would have given an august sanction to the first beginnings of the House of Commons, and would have disarmed future historians like Hume in their attacks upon that body for the circumstances of its birth.

The war, from the first inevitable, now (1264) broke out. After a short absence abroad, Montfort, strong in the con-

sciousness of support by the whole middle classes, the knights, the clergy, and the majority of the barons themselves, took the field against the King ; to seize the Cinque Ports was from the first the main object of both combatants ; on the field of Lewes the battle of the House of Commons was for the present won. London at the outset, as throughout all crises of a like import thereafter it has been, was, together with most English towns, on the popular side. For Henry, therefore, to have changed the parliamentary venue from Westminster to the Tower, that is, to the very heart of a disaffected capital, was not only perfidy, but suicide. While the King in the hands of Montfort was being moved to and fro between the south coast, Rochester and London, there met at Westminster within six weeks of the fight at Lewes on the 23rd June, 1264, an assembly wholly different from what till now had passed for Parliaments, and if not actually constituting, yet closely prefiguring, the great Parliament of a twelvemonth later, and containing more than the germ of the Commons' House, whose separate existence was to begin in the next reign, Edward I., 1295. The constitutional defect of Montfort's Parliament, next to the confinement of the King, seems to have been the absence of peers in their due proportion. Its most historic feature was the presence of Knights of the Shire, four from each county. Such were the men who first gave national weight to the English Commons, because they associated that body, as in other countries it had not been associated, with the territorial principle. Not improperly, therefore, did the county M.Ps. of that period preponderate over the borough members. This body attempted no legislation ; it was content with confirming the authority of Montfort, with fixing the composition of the King's Council ; that was to consist of nine nominees of the Bishop of Chichester, of the Earl of Gloucester and of Montfort himself. The body, to whose full formation Montfort had dedicated the energies and ambitions



of his life, in tolerably complete form sat from the last days of 1264, or the earliest days of the next year, almost continuously till the 15th of March, 1265. Here, as had not been the case in the Parliament of a little earlier, bishops as well as earls and barons found their place. With these were mingled, as well as, of course, abbots or priors innumerable, two knights from every shire, two citizens or burgesses from every town. Their first procedure seems to have been the confirmation of Montfort in the office of Justiciar of England. He thus became in rank what he had long been in power, the first subject of the realm. Other matters were the revision of local charters and the transfer of castles from foreigners to natives. Probably it was business of a not very dissimilar sort which had engaged the last meeting of the Anglo-Saxon Witan, itself held at Westminster, though not under the same roof. Among those who acted most cordially with Montfort were his life-long friend Lord Basset of Drayton, and the eldest son of the late Justiciar Henry Despenser. Both these were men of noble presence and of all chivalrous accomplishments. Both agreed with Montfort that, for the present, Henry's son, the future Edward I., should remain in prison at Dover; for how to dispose of that prince was also among the topics discussed at this famous Parliament. The question was settled practically by Edward's escape to lead the campaign against Montfort in the Midlands.

The rest may be said in a few words. On the field of Evesham there fell round Montfort both Basset and Despenser. The statue of Montfort in white marble at Westminster, at which we have already glanced, not only shows the figure of a powerful knight, but the face of a refined gentleman. The coarseness of the age in which he lived expresses itself in the language applied by the King to his sister and to his friend. Against the dark background of this prevailing boorishness, the tall knightly form of Montfort stands forth in all the con-

trast of a chivalrous purity. By degrees he even learned to bridle that offending member, his own imperious tongue. If Montfort founded the first assembly of gentlemen in the world, to himself, notwithstanding his foreign birth, belongs the distinction of having been the first English gentleman of his day.

Yet centuries were to pass before the life-work of this notable man received a just meed of recognition. Even the seventeenth century defenders of parliamentary rights almost ignore the man whose courage or ambition, and skill, made of those rights institutions. The one exception is Sir Roger Twysden, 1597-1672. Hume had condemned Montfort as an artful conspirator and the House of Commons as a plant set up by an inauspicious hand. Twysden, against this view, commended the people of England as "so far from accounting them who died in arms against their prince to have been guilty of sin as to be hardly restrained from honouring them as saints." More recently Sir James Mackintosh surprised his generation by claiming for the Whigs Montfort as the unconscious champion of the freedom of after generations.

No man probably better knew than Montfort himself his own work to be but a beginning ; nor would he have claimed for it the merit of originality. He found, as we have seen, the representative principle already at work ; he saw Kings calling to their Council the citizens who represented commerce as well as the Knights who represented land. He may not himself have clearly foreseen, or even wished, the establishment of the Commons as a legislative body in a Chamber of their own. But he did see the one safe alternative to revolution to be the recognition by the powers above of the growing forces which were below ; so that as time elapsed, and classes and interests more definitely shaped and organised themselves, the supreme power might in effect be a consolidation in itself not only of Lords, temporal and spiritual, but of the Com-

mons—of all the enterprises and interests associated with them in borough as well as in shire.

Apart from his services as parliamentary pioneer, the figure of Montfort is interesting not only from the romantic vicissitudes of his career, and the distinctness of political work, of whose future fruitfulness he had himself probably no very clear notion, but from the attractiveness of his personality and his fortunes to his countrymen at large. He was, in fact, the first popular hero of our parliamentary history. He had been from the first the idol of the London multitude and of the middle classes in town generally. He was also the precursor of the political favourites of the Press. Before the printer's art had made the modern newspaper a possibility, Montfort was the favourite theme of the songs and ballads, the making of which seemed to a well-known person so much more important than the making of laws. After his death, Montfort narrowly escaped canonization; during many years, according to the popular belief, miracles were worked at his tomb. Riband or cloth steeped in the water of the Earl's well at Evesham was firmly believed throughout the whole countryside not only to cure disease, but to raise the dead to life. While he yet lived, he was the subject of almost as many songs as later parliamentarians are of leading articles. Of those poems, many have been collected.\* The most famous of them probably is that beginning:—

*Mont furent bons les barons.*

This and other specimens, together with a list of the Montfort miracles, will be found in the appendix to Mr. G. W. Prothero's well-known work which has largely assisted the present writer in this chapter.†

\* By Mr. Wright for the Camden Society.

† Other works to which my acknowledgments are due, independently of Bishop Stubbs' *History*, are Bishop Creighton's book on Montfort, and a well-known article on the subject in Vol. 118 of the *Quarterly Review* by Professor Shirley.

## CHAPTER III.

FOURTEENTH AND FIFTEENTH CENTURY ORGANIZATION OF  
THE HOUSE.

Knights of the Shire or County M.P.s. the real nucleus, backbone, most active and permanent element of the House of Commons ; identifying it with territorial influence on the one hand, and urban interests on the other—How and when the burgesses or town M.P.s. came in—Their importance the result of the Crown's money wants rising from war, and Baliol's failure—Scotch agency in the creation of the House of Commons—Earlier rivals in importance and interest to the House presented by not only other estates of the realm, but local councils chiefly at provincial towns of great importance—Collective opinion of mediæval House on trade, commerce, national defence and toleration—Keen eye for material interests of constituencies shown by the House in these days ; eminently businesslike in its point of view and the considerations governing its action—Even now all matters of chief popular interest or importance make their way to the Commons which thus becomes a great informing agency for the whole people—How the traditional traits of House of Commons opinion show themselves from the very first in a regard for whatever conduces to the national safety and prosperity in respect of trade and in jealousy of ecclesiastical domination and wealth.

THE facts thus far passed in review circumstantially establish two points. First Montfort and his associates among the barons were so far from themselves creating the first House of Commons, as probably not to have formed a complete idea of such a representative Chamber ; secondly, the work done by these ancestors of a Parliament comprising the three estates of the realm was indispensable to the birth and early growth of the House of Commons itself during the fourteenth and fifteenth centuries. The lesser barons in Montfort's day recognized the need of allies outside their own number,

against the kingly power, possibly even against the greater of their own order in the shire knights and town burgesses. That union, as has been already seen, was effected at the St. Alban's meeting of barons, knights and burghers, during the last half of the thirteenth century.

The conventional description of the Popular Chamber as an assembly of country gentlemen is historically accurate. The two greatest authorities on constitutional history, Hallam and Stubbs, have, therefore, recognized in the knights of the shire—*i.e.*, the county members—the unvarying and essential element in the House of Commons.\* By whichever title called, during at least two centuries these men were the most constant, the most capable and influential figures in the Popular Chamber, the organizers of its business and the soul of its debates. They alone among the Commoners were of sufficient importance in the days of Montfort to convince him and his brother oligarchs of the need of parliamentary representation for that estate.

Even after the accession of Edward I. the House of Commons as a meeting of urban and rural representatives remained only an idea. 1294, at Whitsuntide, was the year of a great Court or Parliament, as it has been indifferently called; there met in it shire knights as well as barons; but so far as the chronicles show, no town representatives. The chief business was an aid for the King in the crisis of his French affairs, when the policy of Philip the Fair threatened early war.† The prospect of war with France was popular; the barons and clergy voted supplies. Baliol, of Scotland, promised the whole of the revenue of his English estates. Edward I. was, however, scarcely occupied with the French King when the Scotch King intrigued with Philip the Fair against the English

\* Stubbs, *Constitutional History*, II., p. 513. Hallam, *Middle Ages*, III., p. 118.

† Stubbs, II., p. 125.

Crown, and, of course, failed to make good his assurance of money help to Edward. This turn of affairs not only brought back Edward to England, but confronted him, when returned, with hostilities against Scotland. The new war, unlike the earlier, was unpopular with the magnates and clergy, whose attitude soon convinced Edward that in respect of Scotland he could look for no money support from them. In this pecuniary strait, the result of his military policy, the King turned to the borough traders, and summoned to another Parliament, in the November of 1294, two members from each borough,\* as well as two from each city;† these, consisting mainly of representative merchants, voted the money wanted for the military operations against Baliol. In other words, the city M.Ps. at a domestic crisis came to the rescue of the King, and made good the expectations that the Parliament composed of barons, clergy and knights had disappointed.‡ The ready wit of the King now found a constitutional justification for pronouncing no Parliament complete wherein the towns were not represented as well as the shires. “That which touches all, shall be approved by all.”§ So ran the formula in which, with true Plantagenet cleverness, Edward expressed a practical resolution henceforth to adjust the parliamentary balance by including, in the Assembly, the hitherto almost ignored town burghers. Scotch ingenuity might therefore make out a case for the national Scotch paternity of the British House of Commons by the policy which Baliol precipitated. This recognition of urban members not only completes for the first time Parliament; it also crowns a policy, which from the beginning of his reign seems to have been shaping itself in Edward's mind. He had been impressed by the prosperity of the towns visited by

\* Stubbs, II., p. 128. The *Parly. Hist.* differs from Stubbs in that it does not speak of a 1295 Parliament, but refers both meetings to the year 1294.

† Stubbs, II., p. 129. ‡ *Parly. Hist.*, I., p. 42. § Stubbs, II., p. 128.

him while abroad, and by their usefulness to the Crown in counterbalancing the baronial power. Soon after his coronation, upon the foreign model he founded in England several new towns or bastides which might attract a middle-class population and serve as rallying points for the forces of law and order. They were to perform, as has just been shown by the rise of the merchant class to parliamentary power, another purpose which their Royal founder had not foreseen. But for the earlier presence of the knights, as links between territorial influence and urban interests, there would have been no nucleus of popular representation in the House of Commons. The military exigencies of the Crown were thus to be the means of effecting that complete representation of the Commons which neither Montfort's nor Edward's statesmanship had planned.

By the year we have now reached, 1294—possibly even before—the Chapter House had been placed at the disposal of the Commons; they seem mostly to have used it before the session had been formally opened for the purpose of considering by themselves the line they should take in deliberating with the Lords, or drawing up petitions to the King. True, indeed, it is, that throughout the fourteenth century the Commons were continually widening their prerogative by asserting right to initiate impeachments of Court favourites, to obtain the dismissal of undesirable Ministers, Chancellors or Archbishops, to regulate the public and even the private expenditure of the King, as well as to investigate and remedy national abuses; for after Edward I. the question of the condition of England was raised periodically by the popular representatives, and not much less often than in the Reform Parliament of the nineteenth century. Yet even thus, even during this period, the authority of the second estate did not always count for much more than that of the clergy in their synods, or of the merchants in their assemblies held some-

times in London, but equally often in other great towns, especially Bristol. Everything tends to show the as yet imperfect realization by the second estate of the determining power of which events were surely making them the depository. Repeatedly, when asked their opinion by the Edwards as by the earlier successors of those Kings, they plaintively protest such high matters as foreign, or even some questions of domestic, policy, to be beyond the reach of "us poor Commons," and to be fitter therefore for the more wise and learned consideration of the King in his Council, or of the barons in their Chamber.

The crisis usually finds, or makes, the man. Montfort at the fitting moment had presented himself as the champion of a not illiberal oligarchy against Royal absolutism; he has therefore been claimed by some as the first Whig. It would not be accurate to speak of parliamentary representation as founded by the great earl. His labours had prepared its political soil for its growth. During the fourteenth century the Commons began to develop the chiefs of parliamentary organization and debate. Such were those with whom we shall presently make acquaintance, Jeffrey Scrope, Sir E. Pickering, Sir Arnold Savage, and several more. But for figures like these the future story of the estate of the Commons might not have been more stirring or important than that of the estate of the clergy.

Events more important than allocation of the Chapter House to the Commons during the reign of Edward I. prepared the way for the division of Parliament into two separate Chambers. On the one hand, the barons of the King's Council were acquiring the mutual cohesion which made them the nucleus of the House of Lords. On the other hand, prominent individuals, such as some of the De la Pole family, in the Popular Chamber began to assume a sort of parliamentary leadership; these connecting the older knightly



families with the newer but well-to-do borough representatives were the personal agencies which gradually fused into an organic whole the two classes of those whom the constituencies elected. Than this there could be no better instance of that alliance with the territorial principle which, during its earlier days, as throughout its history, strengthened the third estate in England. It was the absence of this which in Spain first weakened, and then destroyed, the popular branch of the Cortes. Even during the thirteenth century had begun the movement that was increasingly to identify Parliament with its popular branch. The disappearance of abbots, priors, and other clerics from the sittings of the third estate was gradual but steady; the 70 ecclesiastics who sometimes sat with the Commons under Edward I. had sunk to 27 under Edward III. A corresponding shrinkage of the baronial members of Parliament is also noticeable during this period. Thus in the Parliament of 1294 the barons mustered 41; the following year they were 37. The reduction afterwards was more rapid. The earliest effect of this diminution naturally was to make the shire knights the absolutely preponderating element in the national representation. As time passed and the towns increased in wealth and importance, the knightly ascendancy was shared with the town members; in 1294, as we have seen, the parliamentary importance of the town members became a fact with which kings as well as barons and knights had to lay their account. Though the importance of this parliamentary element was thus even in 1294 assured, it experienced many vicissitudes and some actual relapses. For when Edward I., in 1300,\* summoned seven knights from each of the three Yorkshire Ridings to meet the barons of the Exchequer in the county capital, the town burgesses were omitted. Hence may be inferred the absence at that period of any town organization such as the County Court had long

\* Stubbs, II., p. 216.

supplied to the shires. The novelty in the middle ages of urban politics is instructively suggested by Bishop Stubbs when he points out the impossibility of generalizing on the subject of towns.\* Among these were communities in every stage of development; each of these stages was constituted on different principles. Hence, too, those anomalies in urban constituencies which during whole centuries were subjects of House of Commons debates, and which even temporarily were but settled with the Reform Act of 1832. During the earlier parliamentary periods, and while the House of Commons was progressively organizing itself into a powerful assembly, the country consisted of mutually independent, and often rival interests or politics, each struggling for self-assertion if not supremacy.

Throughout the whole of the thirteenth, even during part of the fourteenth century, the infant House of Commons had a formidable competitor not only in the King's Council, to which it was habitually subordinate, but in the occasional assemblies of merchants, perhaps even of lawyers, who had taken the clerical convocation as their model, and who periodically voted substantial aids to the Crown. Yet another corporate candidate challenged unavowedly the Commons' claim to popular mastery. In the twentieth century the popularity of the game of politics has provided most towns and suburbs with their "Houses of Commons"; so the mediæval Parliaments which met at Westminster or wherever else the Crown or its representatives pleased to summon them, found at once their reflections and their rivals in the councils held at important centres such as Bristol or Gloucester. These were in their way really representative bodies; considerable grants to the Crown were often forthcoming from them. Such agencies may explain the scepticism of the Plantagenets and even of the Tudors to eventual possibility of a single

\* II., p. 217.

popular Assembly with its headquarters at Westminster, controlling both the purse and the whole executive. But before the thirteenth century had closed, the superiority over other bodies of the Commons at Westminster was established; within that period, the 1290 Parliament comprised two Knights of each Shire; the 1294 Parliament contained four; the 1295 Parliament two Knights from each Shire, two citizens from each city, while there were also another division of urban members—two burgesses from each borough.\*

A case might be made out for taking the fifth year of Edward III., that is 1332, as introducing the independent existence of the House of Commons. Both Houses seemed indeed at the beginning of the session still to have assembled themselves under a common roof. The ceremony was as impressive as the art and civilization of the age could make it. The Painted Chamber, the White Hall, or sometimes Westminster Hall itself, was hung with gilded tapestries; the precise day chosen was one of those great festivals of the Church, most frequently Michaelmas, on which the Monarch, usually present on these occasions, wore his Crown. The Throne stood in the centre of the Council daïs; the magnates were collected on one side, the Commons were massed on the other. Notwithstanding their growing numbers and importance, the people's representatives were not yet collectively of such importance as to have their names transmitted to posterity. Throughout the fourteenth century the style of each one of the magnates summoned by writ is given. The Commons are not so particularized till under the Plantagenets; at the most the name is mentioned of a spokesman representing the whole body. The proceedings were opened in a speech which was usually less like a modern address from the Throne than a sermon, or a moral essay full of quaint conceits and Scriptural allusions, sometimes from the Primate,

\* Stubbs, II., p. 223.

sometimes from the Lord Chancellor, both offices not seldom being united in the same individual. The tone of these addresses is curiously didactic, and reflects in its grotesque pedantries the beginnings of the new learning in England. The session of 1332 is the most important after the meetings of thirty-eight years earlier of which any details have come down to us; it brings us visibly nearer the final separation as deliberative bodies of the two lay estates. On the 9th of September in that year, the Bishop of Winchester, the Lord Chancellor, defined the causes of meeting as "the affairs of France, and the King's expedition thither." It was however, less the business transacted than the manner of its conduct, which signalizes this session as a parliamentary era. No Speaker, by that title, seems to have been appointed; \* but for the first time in their history the Commons met apart from the Lords, and, in the words of the official record,† made a distinct House by themselves. In the absence of any statement to the contrary, this meeting of the Commons may be assumed to have been held in that Chapter House which we know now to have been at their disposal. The predecessor of the later Speaker—whose official style was the King's Prolocutor—was Sir Jeffry Scrope, apparently of old Kentish family, traditionally of dignified presence, of fine voice, and undoubtedly a *persona gratissima* at Court. It is a name which, varied by a few others of historic sound, notably that of Russell, and by others less famous or familiar, Tibetot, Pickering, and others, occurs repeatedly in the same parliamentary and official contest during this era. The business done during the year now reached was various and important; it occupied two sessions in 1332; it was continued in frequent meetings of the Houses during several years to come.

\* But some time before this prominent commoners performed all the essential duties of the Chair; to these the word Speaker has been often applied.

† *Parly. Hist.*, I., p. 91.

The first Edward had transmitted to his successors his own interest in the wool trade; that commerce was now the constant care of the Commons, who employed the earlier days of their independent existence at Westminster in debating proposals for the welfare both of the industry itself, and of foreign, not less than native workers in it. For in the meagre notes of the Commons' proceedings successive representatives of the people recognized the foreign settlers in London and elsewhere as the indispensable teachers of the woollen craft. To encourage such useful aliens among us was therefore essential to the creation of native industry, the protection of which might be thought of hereafter. Other social matters engaged the Commons in council assembled during this decade of the fourteenth century. Now for the first time at Westminster appears the Irish question, not indeed in the shape of actual legislation, but evidently with such a necessity in view. To a Committee of the popular House appears to have been entrusted a search into His Majesty's records to see what methods had been formally taken for the civilizing and well governing the people of Ireland.

Nor did the social condition of England seem of less importance. Complaints of the insecurity to life and property were universal; by the mouth of Sir Henry Beaumont, described by the title of Speaker,\* the Commons agreed with the Lords after, as is specially said, separate consultation of the two, in advising the King to ordain Justices in every county of the Kingdom for the conservation of the peace against offenders, with power to punish and repress such persons. Commissions were accordingly issued to the Sheriffs and "best men" in every county to apprehend, to raise the *posse comitatus*, and to punish the offenders according to their deserts.

The name of Beaumont does not, however, eclipse that of

\* *Parly. Hist.*, I., p. 90.

Scrope, who still continues to be a chief intermediary between the two Estates in Parliament on the one hand or between these Estates and the Crown on the other. Even yet Westminster was only one of several places at which the two Houses might, and did meet. Bristol in the West, Nottingham and Worcester in the Midlands, are frequently the scene of parliamentary gatherings. During the next hundred years, and till the fifteenth century had entered its second quarter, the national progress of the Commons, if steady, was so gradual as sometimes to be imperceptible ; it was also subject to many fluctuations. Session succeeds to session, more than one often being held in the same year. The Commons' petitions travelled by way of the Lords to the King ; slowly and in the teeth of much opposition these petitions as containing the germs of statute law,\* superseded the decisions of the King's Council ; but the organization of that which was to be the popular and eventually the supreme Chamber remained imperfect. The Prolocutor who was to develop into the Speaker, still seems to have been primarily a Court official told off on the assembling of the Estates to act between Commons and King ; he was, indeed, titularly the free choice of the former, but of the pomp and circumstance hereafter to attach to the first Commoner of the realm, scarcely a prophecy is as yet given. The very name is not always used. In the official entries that have come down to us no account is given of any special ceremony in the Chapter House, or wherever else the Commons may have been, at the beginning of the session. Everything takes place in the Painted Chamber or in Westminster Hall. The initial ceremony concluded, the Commons withdraw ; nothing more is heard of them till their petitions are formulated, or till, in connection with those petitions, or on other points of procedure, they confer with

\* This did not become the case till at the earliest Henry IV. or Henry V., as will be shown later on.

their Sovereign, or with their betters in the Upper House, whose proceedings were, in a special degree, picturesquely characteristic of all these functions. Thus, in the Westminster Parliament of the summer of 1433, no mention is made of any spokesman or prolocutor for the Commons. The opening rites of the session are performed before the King by the Dukes of Bedford and Gloucester; the equivalent of the Royal Speech is delivered by the Chancellor who takes for his text the words from the vulgate: *Suscipiant montes pacem populo et colles justitiam*. It was an ingenious prelection, full of subtle conceits, of ingenious but obscure metaphors, or reflecting the parliamentary influence of Latin scholasticism. The preacher, after a few remarks on the posture of national affairs, proceeds to divide his subject into three parts according to the several estates of the realm. By the mountains he understood bishops, lords, and magistrates, the lesser hills meant knights, esquires, and merchants; the people comprised husbandmen, artificers, and labourers. To these three estates it was shown by many examples and authorities a triple political virtue should, by rights, belong. To the first, to the higher officials, unity, peace and concord without dissimulation; to the second, the knights, esquires and so forth, equity, consideration and upright justice; to the third, or the general body of the Crown's subjects, obedience to the King, his laws and magistrates, without grudging. The homilist went on to observe, that strict observance of these duties would ensure infinite blessings and great acquisitions to the whole nation. Wherefore Parliament, being the means for that purpose, the Commons were enjoined to choose a Speaker, and present him to the King.\*

Even though that formality had been occasionally intermitted, or at least is not expressly recorded in "the Books," a Speaker, and by that title, under Richard II., was regarded

\* *Parly. Hist.*, I., p. 367, etc.

as indispensable to the Assembly. Of the Scrope family, Jeffry is only one among several members of great consequence in the House of Commons during the fourteenth and fifteenth centuries. A Sir Richard Scrope had secured the election to the Speakership of Sir James Pickering. More important than the laws and ceremonial of parliamentary procedure gradually establishing themselves in the House of Commons of the fourteenth and fifteenth centuries, was the public opinion, of which it now became at once the organizer and depository. The range and importance of the subjects entrusted by the primitive constituencies to their members may be inferred from the fact, that in 1410, Speaker Chaucer, a descendant of the poet, vindicated the patriotism of his Assembly and of himself by drawing the attention of the Commons to the unsatisfactory condition of the maritime defences of the country.\* The absence of resident gentry from the Welsh Marches and their nearest seaboard, rendered that part of the country especially dangerous. As a result of conference between the Lords and Commons, but as it would seem more particularly on the instance of the merchants, identical in interests if not in person with the borough members, the allowance already made to William Childers, late admiral of the south and west seas, and already granted by the King, came up for favourable consideration. But while patriotism by land or sea was never wanting to the mediæval House of Commons, it was not perhaps the specially distinctive characteristic of that assemblage. At a far earlier period, even in the days of King John, Shire Knights had joined with the barons in protesting against Papal encroachments and the extortions of the Bishops of Rome from the clergy and laity of England. As time went on the anti-clerical temper of the House of Commons at once reflected and confirmed the anti-clerical temper of the country.

\* *Parly. Hist.*, I., p. 307.



During the fourteenth and fifteenth centuries petitions—the early predecessors of the later “motions”—of the House of Commons hostile to the priestly class, were the common-places of every session. Especially in 1410 were these ecclesiastical topics of debate prominent. That the revenues of the clergy have increased, are increasing, and must be diminished, is the burden of Commons petitions occupying whole pages in the parliamentary history of this period.\* The clergy consumed their incomes in a manner very different from the intent of the donors; their revenues were excessive, consequently it was necessary to lessen them. So many estates might be taken from them as would serve to provide for 150 Earls at the rate of 3,000 marks per year each, 1,500 barons at 100 marks, 6,200 knights at 40 marks, 100 hospitals at as many marks yearly for each hospital; by these means the kingdom's safety would be better provided for, the poor better maintained, and the clergy more attached to their duty: such is the epitomized tenour of the policy and arguments expressed in the secularizing discourses or petitions of the Commons during this time. Regarded by the light of nineteenth century cases for disestablishment, and the setting forth of the popular benefits accruing from such a transaction, these views and phrases have something of prophetic interest if not instruction for our day. Concurrently with such attacks on the Established and too highly-salaried Church, their zeal for what they held to be true religion and undefiled was testified by the Commons in their repeated petitions during the earlier decades of the fifteenth century for the Lollards. These had lost the support of that strange religious partizan, the first of House of Commons borough-mongers, John of Gaunt. The disciples of Wycliffe and of Huss had gained in the House of Commons an active champion in the Herefordshire knight Sir John Oldcastle, who was to become Lord Cobham, and to lay down his life for his cause.†

\* *Parly. Hist.*, I., pp. 307-310, and onwards.

† *Parly. Hist.*, I., p. 310.

Under the Lancaster dynasty and especially under Henry IV. and Henry V., were audible in the House of Commons sounds that portended the rupture between Roman England, Church and Parliament, under Henry VIII. It was not on the theological, but rather on the social or political, and especially on the financial side that the fifteenth century House of Commons showed its jealousy and distrust of the doctrine, of the ambitions, of the influence, and, above all, of the wealth of that Church and priesthood in whose claim to universal empire the second estate saw its natural foe. During the sessions of 1414, the Statute of Provisors passed originally under Edward III., but since that time periodically subjected to relaxations, was made more stringent. This had no sooner been done than, assuming the championship of national morals, the Commons arraigned the clergy at once on the ground of connivance at iniquity and extortion of money. "Breaches of the Seventh Commandment," so ran the complaint of the House, "were punished by arbitrary penances in the form of money fines; being on this consideration condoned, they were practically encouraged." On the same day apparently of this petition making its appearance, the Commons urged their claim for the payment of parliamentary wages, though nothing had been done by them during the session to which they went back;—so little in accord with the feeling of that day would have been the doctrine favoured by some modern politicians of remuneration by results. The several motions or petitions for confiscation of clerical wealth, English seemingly as well as Roman, came to a head under the first Henrys. The spirit of a most malignant Erastianism expresses itself in the satisfaction with which the Commons recalled to the King how the steps towards clerical confiscation already taken by him \* "had already made the fat abbots to sweat, the proud priors

\* *Parly. Hist.*, I., p. 323, etc.

to frown, the poor priors to curse, the silly nuns to weep, and, indeed, all those who make merchandise of the Church to fear that Babel would "*down*." The only person who profited from this quarrel between the two estates was the King. Henry V. apparently avoided of set purpose any word or action which could improve relations between Church and Commons. When these two were at issue, they vied with each other in the supply of the money wants of the Crown. The practical result, therefore, was a double money vote, one from Commons and another from Convocation, in aid of wars with France. High Church dignitaries continued in the manner already seen to garnish the speeches composed by them for the King at the beginning of the session with Scriptural quotations; from these the blessing pronounced upon the peace-makers was studiously omitted. In and about the year 1415 the Archbishop of Canterbury was the chief spokesman of national militarism; the clergy followed him in urging the King to war, evidently in the hope that by anticipating the military wishes of the Crown they might divert its favours from the Commons to themselves.\* Now too the sessional homilies to Commons and Lords of the prelates begin to be less of theological disquisitions and more of arguments for the purpose of showing that by all known principles of international law the Crown of France belongs to Henry V. as successor of Edward III. Nor, from the anti-Roman temper of the Commons at this period, can one infer a genuine zeal on their part for pure undefiled religion. The Parliament which met at Leicester in the April of 1414 distinguished itself by a recantation of the views in favour of evangelicalism elsewhere expressed by the assemblage. Wycliffe's teaching was, indeed, the point against which legislation was directed. Whoever read the Scriptures in English should forfeit land, cattle, goods, life; be condemned as heretics to

\* *Parly. Hist.*, I., p. 325.

God, traitors to the Crown, and enemies to the Kingdom ; should even be excluded from the privilege of sanctuary then granted to the most notorious malefactors. In case of relapse or contumacy after pardon, should be first hanged for treason against the King, and then burned for heresy against God. There is, indeed, nothing to show that this truculent decree was based upon a Commons' petition or initiative of any kind. On the other hand, no record exists of any protest in favour of religious liberty or even common humanity being made by them. National leaders at this moment the Commons had none. Of the two factions into which under the fourth and fifth Henrys the Chamber was divided, one had as its aim to incense the Crown against the Lollards, and particularly against the Knight of Hereford, now Lord Cobham, as a leader of that injurious sect. The only form of patriotism known to the Commons at this epoch, where it was not purely commercial, was tinged with some spirit of persecution. Proposals for confiscating the revenue of the clergy alternate with suggestions for putting down the prosperity of aliens settled in English towns.\* The one exception in favour of these foreigners was the indulgence shown to the Flemish wool-workers, who were necessary to teach the slow-witted English artizans the trade. But the general tenour of industrial and commercial legislation, endorsed if not initiated by the Commons during the fifteenth century, and particularly a law of 1414 bidding foreigners choose between expulsion or imprisonment, scarcely support the view of foreign competition as a spur to native industry or production having from the earliest period been welcome by the popular opinion of our nation.

The agricultural question in both Houses had descended to them at least so far back as the Good Parliament of 1376. After the pestilence which devastated England in 1349 began

\* *Parly. Hist.*, I., p.

that leadership in social and industrial legislation in the House of Commons which embittered the relations between both Houses on the one hand, and the Royal Council on the other.\* Other agencies that had gradually identified the Popular House with the leadership of popular causes, which in this way had emphasized its independent existence even before it permanently occupied a separate structure, were the events contemporary with, and rising out of, the Villeins' Rising of 1381. Five years previously, under the guidance of Peter Mare, the Speaker, in a time when it was not that officer's first business to hold silence, the Commons, in the same Parliament which impeached the Court favourites and the extortions of Rome, espoused the cause of the Church reformers, who were also the leaders of the working classes. To Sir Peter Mare, therefore, and to the Chamber over which he presided, belongs the distinction of having first set on foot the organization of English agricultural industry. The fortunes of that movement constantly fluctuated; upon the whole they improved. Nor did any important subject make its appearance among the Commons without being viewed by some members in its special relations to the agricultural labour; whole pages of the *Parliamentary History* of this period are occupied with minute considerations of the work and interests of husbandry. Even the implements employed by the labourer were not ignored; while the wages of labourers, especially in the Parliament of Henry V., were constantly being considered and reconsidered, evidently not without the consciousness of members that even in a House mainly composed of capitalists the field labourer could make himself felt in the constituencies, and that an election might turn upon the agricultural question.

Even before the sixteenth century the House of Commons, if not chiefly initiating, or bearing the main burden of actual legislation, reflected, much as it does in the nineteenth cen-

\* Stubbs, II., pp. 409-17.

† *Parly. Hist.*, Vol. I., p. 334.

ture, not only the political problems, but the social history of the hour. Its discussions formed the great educating agency as to the contemporary condition of the English people. During the same sitting, in one part of which Imperial policy was discussed from the high political point of view, at another hour the tillers of the soil, the structure of their implements or the needs of workmen living in towns were considered. The petitions or motions of this body took cognizance of matters, bearing on moral conduct of more general interest than ecclesiastical politics. One of the reasons why Parliament continued to be royally convened so often elsewhere than in London, was the risk of members being unduly influenced by popular demonstrations, or of their being seduced by the social temptations of a great city. Thus in the Parliament of 1435, under Henry VI., the Commons engaged in a vigorous attempt to put down disorderly taverns and other places of evil resort, by which Southwark seems then to have been honeycombed.\* To this period, though a few years earlier, belongs an incident which powerfully illustrates the authority that even their critics and the rivals among the Lords could not deny the Commons to possess. The Popular Chamber was, in fact, asked by the Peers to arbitrate between the claims to precedence of John Mowbray, Earl Marshal, and Richard Beauchamp, Earl of Warwick.† This compliment paid by the Upper to the Popular Chamber is the more noticeable because some years earlier, in a previous reign, Henry IV., 1410,‡ the Lords had been censured by the Commons for communicating the debates of the latter to the King. Then was passed an Ordinance to the effect that in all future Parliaments each House respectively should be competent by itself to settle its own business, and should not, while the matter was pending, divulge the proceedings to the Crown, and in so doing commit a violation of parliamentary privilege.§

\* *Parly. Hist.*, I., p. 371.

† *Parly. Hist.*, I., p. 351.

‡ *Parly. Hist.*, I., p. 307.

§ *Parly. Hist.*, I., p. 308.

## CHAPTER IV.

## GENERAL RESULTS OF THE CHAPTER HOUSE PERIOD.

The variety of national business before the House of Commons begins to be its characteristic during the Chapter House period—Reasons why even thus the organization of the Commons estate was much later than that of the Lords—Want of a steady supply of capable leaders—Practically its early leaders probably in nearly all cases the Speakers; especially Speaker Mare; and his struggle against the Court influence of John of Gaunt—House of Commons influence under Speaker Chaucer on Imperial policy; war, peace, treaty making—National feeling and national religion in the Chapter House—The early agricultural labourer and the House of Commons—1381, Peasant Revolt, and its House of Commons results—Mediæval House of Commons constituencies; lack of adequate organization in these; reluctance of borough and county constituencies to elect members; how to be explained—Steady rise in social consideration—Early bribery—Mediæval session and season in London and elsewhere.

THE foregoing remarks will give some idea of the variety of the business in Lancastrian and Yorkist days coming before the House of Commons, whose authority through the whole range of the nation's life was recognized equally by Peers and King.

What was the place which witnessed these great transactions; who were the men brought forward by events, for playing the chief parts in the parliamentary drama upon which the curtain had now fairly risen? That sometime during the reign of Edward I., and, therefore, between the years 1272-1307, the Westminster Chapter House had been set apart for the Commons is the generally accepted tradition. That during this period they always availed themselves of that

building does not, however, appear to have been the fact, even when the Lords had for some time been established in a sessions Chamber of their own. In point of antiquity the House of Lords has indisputably claims better established than the House of Commons. To the Barons, as members of the King's Great Council, belonged an organization nearly coeval with that of clergy from their Synods or Convocation. No such complete and independent life was possessed by the Commons; if, therefore, the other estates met separately, at least so early as the year 1295, it does not necessarily follow that the Commons did the same. The evidence on this point is exhaustively given by Bishop Stubbs.\* The conclusion to which this authority is led is identical with the view suggested by the scanty official record, and mentioned in the preceding chapter. The fifth year of Edward III., 1332, may then be assumed to be the earliest date which can be given for the first exclusive occupancy of the Chapter House by the Commons. There has descended to us the name of that member who first acted as intermediary between Commons and King—one of the North of England family of Scrope. Prolocutor, as has been already said, rather than Speaker, is the title expressly given him in the Parliamentary History. The particular Scrope now spoken of does not appear to have been the better-known Richard, but a certain Jeffry (*sic.*); his patronymic perpetually reappears, always in the same official capacity, throughout these early and meagre records. From the expressions and sentiments placed in his mouth, he would seem to have travelled and studied extensively abroad,

\**Constitutional History*, III., p. 430. To the same reign, Edward III., by Hallam, also Vol. III., p. 54, is referred the division. Hallam also holds that even before this, when both estates assembled together, Lords and Commons occupied different parts of the same chamber, *e.g.*, Westminster Hall, and that their votes were always separately given, as indeed may be inferred from the money aids of the several estates always being the subject of independent entries in the official record.



to have brought back with him the grand manner of a courtier, and no small tincture of that Italian and classical pedantry which sounds like an anticipation of the sixteenth century euphemism. With the reign of Henry VI. begins the second half of the sojourn of the Commons in the Westminster Chapter House.

What are the broad results, or the principal incidents of that epoch in the life of the Commons? Among the most important changes witnessed during the Chapter House period, and important beyond all others, is one which formed the foundation or starting-point of all subsequent House of Commons progress. The commercial prosperity of the country was surely founded during the thirteenth, fourteenth and fifteenth centuries. The same causes that gave to London, to Bristol, and to other considerable towns, as earlier they had given to Genoa and to the Lombard cities, a dynasty of merchant princes, established throughout this country the thriving and independent middle class; such a class was not less essential to the Commons Chamber at a later day than the knights had been to it at an earlier. Thus were imparted unity and continuity to the nation, and to its life in Parliament; hence came a fusion between the owners and cultivators of the soil; between the ancient lords of the land and the new potentates of trade. It was the middle-class merchants who had filled the purse of the English King when barons, clergy and knights refused him the sinews of war against Scotland; so, as has been seen, began borough representation in the Commons. These are the social developments which, not less than the political activities of Montfort, or of the great constitutional reformers, summoned as the instruments of his policy by Edward I., made the House of Commons possible. The mere political machinery which Montfort had caused Henry III. to set in motion was nothing new. The germ of county representation existed at least as

early as King John ; the writs which Montfort issued in the name of his imprisoned King, convening shire knights and town burgesses, were, therefore, the reversion to an earlier use, not a later and original invention. If Montfort had not revived the constitutional precedent of John, the same machinery would have been employed by some other reformer so soon as existed the material to which it could be applied. Hence the national well-being, of which the House of Commons constituted the expression, was in a fair way of accomplishment some time before 1332. That national development, rather than the agency of charters or writs, had made the Commons the arbiters, as well as regulators, of national taxation. It had also ensured them in the near future a deciding voice in general legislation. Even in 1312 the power of the Commons is very distinctly seen throughout all the transactions leading up to, or growing out of, the appointment of the Lords Ordainers during the reign of Edward II.

The constitutional regard for established forms, always a characteristic of the House of Commons, must be referred in its earlier growths to the Chapter House period. Throughout the negotiations for, and with, the Lords Appellant, and the deposition of Richard II., the elected of the people had shown the same aversion from revolutionary informalities, as they displayed during their replacement of the House of Stuart by the House of Orange. All the principles and some of the details of the revolution of 1688 had, in fact, been rehearsed at the revolution of 1399. Scarcely less important in money matters than the power of taxation was the authority gradually secured in the Chapter House of allocating to specific purposes the sums which the Commons' vote had raised. As in other matters, so in this ; their progress was liable to reactions and relapses. The Middle Ages had passed away before the entire disappearance of the old idea of the Sovereign being, in a sense, the lord proprietor of the whole realm ; there thus

seemed to reside in the Crown a constitutional power of obtaining money without any reference to Parliament from substantial citizens. Not even the parliamentary title to which they owed the Throne caused the Lancastrian any more than it had caused the Tudor Kings to surrender the prerogative of obtaining loans or subsidies direct from the lenders or donors. The Boston loan of 1386 is conclusive evidence on this point\*; notwithstanding these hindrances to progress, long before their sittings in the Chapter House were half done, the Stuart and Tudor benevolences excepted, the Crown practically recognized the peril and the inexpediency, if not the illegality, of raising money independently of the Commons. Concurrently with this, the normal province of the House had been enlarged. The Chapter House had been the home of the Commons during only a few decades when the Crown willingly consulted this Chamber as to the exercise of its prerogative with respect to the making of war, of peace, and of treaties.

Chaucer is a name of parliamentary as well as of poetic associations. The Sir Thomas Chaucer who sat in the Speaker's Chair during most of the reign of Edward III., and again later, used his considerable influence with the House to keep steady in its view on imperial not less than on pecuniary grounds, the foreign policy of the King. Under that Speaker, too, the petitions of the Commons in the decisiveness of their language upon all subjects of domestic or foreign concern, approach much more nearly than has yet been noticeable to the tone adopted by them under the Tudors and Stuarts. Another prerogative now claimed by the Popular Chamber, exercised by it still in conjunction with, but not,

\* Hallam, *Middle Ages*, III., p. 126. Though an early Parliament of Richard II. had denied the compulsion of any subject to lend the King money, a writ of 1386 enjoined the assessment of all Boston citizens worth £20 for subsidy purposes on the assurance of this advance being deducted from the next payment sanctioned by Parliament.

as formerly, in subordination to, the Lords, was the right of impeachment. In the proceedings against more than one member of the immensely powerful house of De la Pole, especially those which removed from Henry IV. a most serviceable counsellor—the Earl of Suffolk,\* the meagre record of the official proceedings is still enough to show the initiative throughout to have been with the House of Commons.

The parliamentary spokesmen of a later day, during the earlier part of the Stuart struggle, admonished Charles I. that never yet had men in high places withstood the people's representatives but it had gone ill with them. To the Chapter House period belongs the earliest illustration of that truth. The eventual surrender of Edward II. on all essential points to the popular leaders, whose nominees the Lords Ordainers were, should have warned the Second Richard that the day of Royal absolutism had gone by. The last of the Plantagenets, however, was as quick to discern the weak points of his popular antagonists as a Turkish Sultan is quick to detect the seeds of discord among the Western Powers. If no other sanction than that of popular opinion had been required for the encouragement of parliamentary independence, the shire knights and burgesses would never have flinched in their House of Commons duties. As it was, they passed through long years of failure. The explanation of that failure will be found in the lack of capable leaders.

The history of the Commons' rise to parliamentary supremacy is the history of the successive championship of great Commoners. In Plantagenet days had only commenced the establishment of the tradition. As a consequence, the supply of leaders was as yet scanty and uncertain. Periodically a strong Chairman might stiffen and inspire the Assembly. Such was Sir Peter Mare, who had presided over the Good Parliament of 1376. The general policy of that

\*See *Parly. Hist.*

body was prompted by Speaker Mare himself, by him, too, was the execution of that policy enforced with the result of the King's Ministers being impeached, and the King's mistress being threatened with banishment and loss of property if her mischievous interference in high places were repeated. Yet it may be doubted whether the unaided power of the First Commoner and his loyal followers would have been sufficient to accomplish these reforms; for when the Black Prince, whose power and popularity had at all critical points reinforced the popular cause, shortly after died, when the next elections were held and John of Gaunt successfully carried out his favourite anti-popular device of manipulating the elections, and packing the House with his own nominees, the work of the Good Parliament was undone, and its beneficent legislation was expunged from the Statute Book. The Commons were only some of the opponents of Richard II. Among his most powerful barons were his most bitter enemies. The immediate instruments of his overthrow were found in the great northern house of Percy. Nor must it be forgotten that the very Commons who exulted over Richard's deposition, over his succession by the parliamentary King Henry IV., had repeatedly not only condoned the excesses of this Plantagenet, but had done all they could to encourage him in them. The Commons of this reign did, indeed, compel Richard, before his dethronement, to abdicate practically in favour of men to some extent of their own choosing, like the Lords Appellants. But before that the Commons had deliberately committed suicide by delegating all their functions to a committee of Richard's nominees. In other matters, too, their high language towards their Sovereign was ill-matched by their acts. Of this the Haxey case, presently to be mentioned, is the chief instance. When Richard returned his often quoted contemptuous reply, that he would not for the Commons dismiss a scullion from his kitchen, the elected of the people

quietly reminded him of an old, but unrepealed, act by which was forfeit the Crown of him who persistently lent an ear to evil counsellors, and who refused to meet his lawful advisers, the Estates in Parliament assembled. Yet these very Commons, before acquiescing in their own extinction, as already seen, degraded themselves by abject apologies to the King for discharging their duties to their constituents; about the same time they were also guilty of a breach of their own privileges more serious than could have proceeded from any outside enemy. In the temper of Speaker Bussy, who gave up the name of Haxey as the utterer of injurious words against the Crown, was nothing prophetic of the high spirit of Speaker Lenthall, who had "neither eyes to see, nor ears to hear, save as the House should direct him." The relations of Richard II. with his House of Commons resolve themselves in fact into a succession of petty or serious acts of monarchical aggression or despotism on the one hand, of weak compliances or of spasmodically short and insincere resistances, and shows of indignation, on the other; these were, in their turn, as in the case of Haxey and of many others, followed by cowardly alarm for the audacity shown, and ignoble penitence for the exercise of constitutional right. The lesson of self-respect took the Commons a long time to learn. The educational process had many vicissitudes, but not, perhaps, many retrogressions so serious in character as to be permanent in effect.

No single episode seems to have been more useful morally and politically to the Assembly than the events connected with the agrarian disorders of 1381. The agrarian agitation in this country was part no doubt of that general European movement which expressed itself in the rising of the jacquerie in France. In England, however, religion, through the teachings of Wycliffe, lent a special intensity and sanction to the disturbance. As has been already seen, the House of

Commons of this period was too closely identified with the landlord interest, and too much under the anti-popular influence of John of Gaunt to adopt unreservedly the championship of the working classes. It did, however, show some of the courage of those convictions imparted to it by Speaker Mare; it did, upon the whole, espouse the cause of the agricultural labourer, and by so doing contributed very appreciably to the creation of a class and of interests which have throughout our history strengthened the third estate of the realm, by identifying its chamber with the most valuable elements in English life.

At the outset of his career, Richard II. was more zealous for the agricultural labourers than were his Commons, for theirs was the House which, by repeatedly insisting on the Statute of Labourers with its legal limitation of their wages, delayed the conversion of a spiritless serfage into a resolute peasantry. As years went on, the owners of the soil recognized their own interest in not withstanding those reforms in the condition of the villeins which tardily and ungenerously the House of Commons had taken up. By the substitution of money rents for the base services of slaves, the landlords gradually perceived their soil became more productive and the value of their property was increased. Again and again the confirmation of the villeins' charters was checked or refused in an apathetic House of Commons. But the former slaves of the soil slowly formed the nucleus of the order of yeomanry; the yeomanry were in the closest connection with the shire knights and the borough members. Without the help of those who eventually became the forty-shilling freeholders, the estate of the Commons could not have completed its organization, still less could it have held its own in the occasional collisions with the Lords or the systematic struggles with the Court that formed the burden of its earlier history. Out of the events of 1381 grew the emancipation of the serfs,

the chartered liberty of labour; with that liberty a sense of dignity, and with that, the consolidation of the rural classes, with the country gentry at their head, into a distinct interest of the realm.

Of all the incidents, therefore, that marked the period of the Chapter House sittings, no group had more to do with the quickening and the dignity of the parliamentary life of the Commons than those that, occurring in the fourteenth century, were incidental to the great agrarian revolution. The English squire, such as he became in Tudor or Stuart days—a rallying centre for the country side on a level below that of the peers or even the larger knights—had indeed yet to be witnessed. But by degrees, even under the Edwards and under Richard, the social and political life of the country-side was establishing itself after the pattern that centuries were to perpetuate; in this life the country member, and even “good man burgess,” to quote the popular style of the town M.P., were becoming leaders of the nation. If not yet the social equals of the nobility, by their habitual residence in their neighbourhoods, they gained in influence much of what their social superiors lost by absenteeism. Now first, the mere fact of House of Commons’ membership forms a title for social consideration; as a consequence the Lords begin to show a settled jealousy of the Popular Chamber. This displays itself very clearly in the temper shown towards Michael de la Pole by the Peers; with these Peers he was connected by kinship; by his sympathies and experiences he was allied with the Commons. The Lords treated him as a betrayer of his order, and a deserter of the interests of his class.\* This taint of popular predilection may explain the indifference with which a generation or two later the Lords regarded the impeachment by the Commons of that Earl of Suffolk who had Michael de la Pole as his ancestor.

\* Stubbs, II., p. 469.



The privileges of Parliament in their application to the Commons were growths not less slow than the laws under which their discussions are conducted. Hallam\* refers the earliest of these usages to the Lancastrian period. He admits, however, the relevancy of a passage in Hatsell's *Precedents*.† This passage conclusively shows that so early as Edward II. freedom from arrest was enjoyed by members of the National Council transacting the business of the King. Into these immunities the House of Commons fully entered during the latter half of its Chapter House existence. Here again the Commons showed a curious slackness in maintaining the dignities that were their due. We have seen how, under Richard II., Speaker Bussy so entirely lacked the spirit which his successors were to display as without protest to give up the name of Haxey M.P. as author of a motion directed against the expenses of the King's household. Even a century after this incident, the inviolability of their representative member, the Speaker, had still to be asserted, or even realized by the House of Commons. During the reign of Edward III., a popular and parliamentary prejudice against lawyers had expressed itself in certain enactments very loosely observed, excluding "gentlemen of the long robe" from the people's representatives on the plea that such members used the time which belonged to the nation for extending their own professional practice. The constituency paid wages to its member; it demanded all his time in return.

Such, evidently, was the early idea on the matter, as it is also that of a later day. Yet the legal profession continued for a long time exclusively to provide Speakers. Under Henry VI., Speaker Thorp, also a baron of the Exchequer, had been imprisoned on an execution at the Duke of York's suit. The Commons promptly made a formal protest to the judges. These confessed their incompetence to deal with so

\* *Middle Ages*, Vol. III., p. 149.

† Hatsell, Vol. V., p. 176.

weighty a matter ; but as an abstract doctrine confessed in the most uncompromising terms the legislative omnipotence of the High Court of Parliament.\* The question next came before the Lords. The protest of the Popular Chamber collapsed ; the next thing recorded is, that, as they were bidden to do, the Commons chose a new Speaker and presented him to the King the next day. Haxey, under Richard II., for his audacity of speech against the King, had been actually sentenced to death ; he was pardoned on the Primate's mediation. For a like offence no other instance of a punishment quite so severe is recorded during the Chapter House days. But during many years later, freedom of speech was a parliamentary right imperfectly understood and precariously asserted. It was for words uttered in a Chapter House debate that a member for the most important constituency of the whole West or South of England, Thomas Young, burgess for Bristol, was arrested, without trial placed in the Tower, and long kept there in great duress.†

Repeated incidents such as these followed by fitful remonstrances on the part of the sufferer or the show of some generally short-lived indignation on the part of the public, produced none of the results which modern experience would lead one to look for. That is to be explained not only by the absence in those days of any of the now familiar agencies for organizing popular opinion, but by the national indifference to the nascent House of Commons as well as by the absolute disfavour which it sometimes popularly provoked. The chief indisputable, or best known prerogative which that House, after years of struggle possessed, was the power of taxation. The tax ordainer has never been more universally beloved than the tax collector. But a still more powerful reason for the long period of obscurity and feebleness through which

\* Hallam, *Middle Ages*, Vol. III., pp. 150-1.

† *Middle Ages*, III., p. 153.

passed the Chamber afterwards to become omnipotent, was the absence in the popular eye, and indeed in fact, of any organic and certain connection between the people's representatives and the men whose votes sent those representatives to Westminster. The constituencies had to acquire consistency and dignity before those qualities could be reflected in the House of Commons. Certain towns or corporations, especially, as Hallam has pointed out, those of Barnstaple and Salisbury, to which probably Horsham should be added, possessed an immemorial right to send deputies to the Great Council long before had come into existence an Assembly of the Estates of the realm.

In the case of Shire Knights, the details of their selection during the fourteenth and fifteenth centuries may be given with some confidence. Some knight approved by the King, and of repute on his own country side, rode up to the County Court, the scene of these elections; above him waved his banner of embroidered silk, the sheriff's javelin men formed a bodyguard around him; on reaching the hall, he was met outside by the local gentry on their horses; on dismounting and entering the building, he produced the writ—a sheet of parchment; on this was announced in Latin that the King would be pleased on a coming day to hold a Parliament at Westminster or in some provincial centre as the case might be. To the document held in his hand, the royal courier pointed as his authority for bidding the freeholders of that district to choose a worthy and discreet Knight of the Shire. At the same time were they to make provision for paying this personage proper wages while Parliament should sit. Yet another condition was usually, it may be invariably, insisted upon. Before they exercised any choice of their own, the freeholders were to enquire whether the great baron of the county—a Bohun, or a Fulke perhaps—might not have by his steward or attorney signified some person specially

acceptable to him as representing his lowlier fellow subjects.

That proviso narrowed the field of choice. In theory, all present at the County Court had a vote; practically the election long remained in the hands of a very few officials; while of course the forty-shilling freehold qualification survived down to the first Reform Bill of the nineteenth century. The machinery of the County Court ensured a pretty constant supply of county members at all times. The boroughs were of course supposed, at the King's will, to choose representatives also. This does not affect an earlier statement that borough representation can scarcely be said to have existed, until Edward I. was constrained to turn to the enlightened opinion and the substantial help of the town traders. Even after this, town representation was neither continuously progressive nor absolutely as a permanence ensured. Certainly, in times of national distress or difficulty, there did not naturally, as a remedy, present itself to the town the expedient of sending burgesses to deliberate with the knights. The source of this reluctance was entirely unconnected with royal exclusiveness. On the contrary, at all times, doubtless to counterbalance the knightly allies of the lords, successive Kings encouraged the issue of writs to towns. But under Edward II., the Lancashire and Northumberland sheriffs report that there are no towns within their county rich enough to afford the luxury of members. To nearly the same effect spoke the sheriff of Bucks, who denied the existence in his county of any town except Wycombe, though, as Hallam points out,\* Wendover, Agmondesham, and Marlow, had never, till now, failed to make a return. This local indisposition explains why many of those boroughs—in our day the most important in the Kingdom—such as Leeds, Birmingham and Macclesfield, were, if at all, but occasionally

\* *Middle Ages*, III., p. 169.

and fitfully represented. Civil war, the confiscations and proscriptions; the paralysis of social enterprise and political energy which followed, robbed alike election officials and the constituencies themselves of all interest in parliamentary representation, perhaps even of the very means for paying the parliamentary wages of their members. For in these early days elections were not, as later, conceived of as means for quickening the circulation of money, and briskening up trade in country towns. The truth seems to be that under the Edwards borough representation was in a perpetual state of flux. The prosperity of the season, the disposition of the constituency; above all the personal inclination, probably the political partizanship, of the sheriff, in whose hands all electoral matters were—any one of these things might account for an absolute dearth of parliamentary candidates at one time, or a redundancy of them at another. In the famous Parliament of Edward I., which really established borough representation, and which is associated, as has been already said, by some authorities with the year 1294, by others with 1295, sat two hundred borough M.Ps.\* After this came a decline; for in the reign of Edward III. and during the half century which followed, the average of towns returning members was ninety. The total of the urban M.Ps. would be, therefore, as Hallam computes, one hundred and eighty.

These figures more than balance those of the shire knights. They perhaps explain to some extent why the sheriffs did not use any special exertions to bring forward fresh candidates for the boroughs. These officials were generally identified with the country gentlemen interest; they were not therefore likely to press into prominence the burgesses who, though already effectively coalescing with the knights at Westminster, might, to the Conservative mind of officialism, seem rivals for popular influence as well as colleagues in parlia-

\* Hallam, *Middle Ages*, III., p. 174.

mentary action. As a fact, the plea of poverty, so often advanced by the sheriffs, was undoubtedly sincere, for it was not advanced exclusively to explain the absence of burgesses ; it applied quite as forcibly, in many cases perhaps even more forcibly, to the difficulty of providing knights. The wars that had decimated the nobility, and that by doing so had depressed the parliamentary power of the Lords, had especially afflicted the whole frontier region between England and Scotland. In these Northern counties the sheriffs frequently make the return that all the available knights do not suffice for the local protection ; hence that they cannot be spared for duty at Westminster. As regards boroughs the reply is often of a more evasive character ; it resolves itself into an allegation of pecuniary difficulty. From the reign of Edward III. to that of Henry VI., Lancashire sheriffs repeatedly allege either that there are no boroughs within their county for parliamentary representation, or that the poverty of these places should excuse them from it.\*

The most real and definite accession of legislative power to the Commons while meeting in the Chapter House, remains to be noticed. The growing authority of the petitions of the Commons has been more than once pointed out. Still these documents were apt to be tampered with and weakened first by the officials of the Lords, secondly by those of the King, during the ordeal of passing into Statute Law. The House had been by no means enthusiastic for, or even uniformly tolerant of, the Lollards ; still the popular temper which the Lollard controversy left behind it, was undoubtedly favourable to the House. At the beginning of the reign of Henry V., the Houses then being convened, not at Westminster, but at Leicester, in the same sitting during which Lollardy provoked a long and keen debate, it was by overpowering majorities decided that hereafter in all Statutes based on the

\* Hallam, *Middle Ages*, III., pp. 168-171.

Commons' petitions, no alteration by any person on any pretence, should be made in the petitioners' words. At the Leicester Parliament, too, was conceded to the Commons in the absence of the King on his French campaign, the right to be constantly informed of what Ministers in the monarch's absence were doing. Yet even now the Royal Council, under Gloucester as Regent, practically ruled the realm; in it were concentrated executive powers; its deliberations almost as a matter of course would seem to be ratified by the Commons. Having, after years of unceasing and often foiled effort, obtained in the manner just mentioned, final recognition of their legislative power, the people's representatives showed their wisdom in not contending about forms and shadows with the Great Council. That body had indeed at last consented, if not in terms, to merge its prerogative in, or to identify it with, the legislative and executive predominance of the Commons. If the Lancastrian Kings had shown the intellectual power of the Plantagenets, or the unscrupulous administrative energy of the House of York, the crowning victory of the Commons might have been won with less ease. The triumph was not indeed permanent; justified abundantly by the sequel, is the opinion of Bishop Stubbs,\* that the popular House had successfully struggled into a position of ascendancy, for supporting which it lacked the necessary stamina and development. This doctrine explains the temporary eclipse sustained by the House, while the Crown was worn by a York, and the ease with which the statecraft and despotism of the Tudors made the members at Westminster the nearly passive instruments of their will. For the moment, however, the Chapter House had witnessed the establishment of the supremacy of the long despised "poor and feeble Commons," as in their addresses to the King they so often called themselves. Now, too, began or approached

\* *Constitutional History*, III., pp. 619-622.

the era when a seat in the House which had so triumphed over King, Lords and Council, became an object of social ambition such as, notwithstanding all depreciatory comment, it remains to this day. Slowly perhaps, but beyond all doubt certainly, the difficulty in finding shire knights or town burgesses began to diminish and at last to disappear. The sessions in the Chapter House tended increasingly as to time and season to coincide with those *dies fasti* on which met the lawyers in the Courts out of Westminster Hall. It became a privilege rather than a penalty for the M.P. to pass some months of each year in London away from his country home. His duties and position had acquired a consequence which caused them to be sought rather than, as had so long been the case, shunned. Only on this view of the facts can be explained cases like that of Thomas Long, mentioned in the journals of 1571.\* This person had been returned for the Wiltshire borough of Westbury; his absolute incompetence for his duties was so glaring as to cause him to be questioned upon the methods by which his return had been secured. His answer was frankness itself. Before the legislative company in the Chapter House, he pleaded guilty to having given to the Mayor of Westbury, Anthony Garland, and to his fellow townsman, Watts, £4 to secure his parliamentary return. Long's candour did not permit him to go unpunished. He did not indeed lose his money, for while his election was cancelled, Garland and Watts were called upon to refund the sum they had pocketed, and a fine of £20 was assessed on the offending borough, which was also visited with the Speaker's reprimand for its venality. After this no argument or illustration can be wanted to show the continuity of the Chapter House Commons with that of the House of Commons at St. Stephen's Chapel as a social force.

\* *Parly. Hist.*, I., p. 765.



## CHAPTER V.

## MEDIÆVAL M.P.S. AND THEIR WORK.

John of Gaunt—His personal appearance as shown in the All Souls College window, Oxford—His parliamentary influence, and anticipation of later borough-mongers—Struggle between Gaunt and Speaker De la Mare—Geoffrey Chaucer, the poet, as M.P. for Kent; his other employments, official and poetic; his wide and various experience of the world; his views, social and political as they may be, inferred from his writings—Social life and appearance of House of Commons in Chaucer's day—General relation of the 14th century House of Commons to the best thought of the age; its want of sympathy with the deeper problems of the time—Other prominent House of Commons personages, especially Speaker Sir Arnold Savage—The House of Commons and religion—General ascendancy of the House in all administrative and financial business—Henry IV.'s entire surrender to the House—High water-mark of mediæval constitutionalism reached in the Lancastrian Houses of Commons—Speaker Thomas Chaucer—Evidence from unpublished sources circumstantially conclusive as to his being the poet's son—His parliamentary career, public services, and independence of the Crown—Sir John Fortescue, Lancastrian and jurist—General review of House of Commons under the Houses of Lancaster and York, and absence of national enthusiasm for House preparing the way for Tudor despotism.

AT the period now reached, the Chapter House sittings of the Commons were closely watched by one of the most active and powerful personages in the mediæval history of England. Though never a member of the popular Chamber, the man now spoken of contrived to make his influence strongly felt in its composition, and in its policy. To his opponents John of Gaunt may have stood forth as a sinister personality, whose chilling shadow checked the growth of political liberty, and who made representative institutions the instrument of the Court rather than the bulwark of freedom. Shakespeare has seen in him the typical patriot—a view that history does not

support. Of the strongly defined personality of the man there can be no more doubt than of his strikingly patrician features. Of this we have a proof in the only portrait of him extant—that in a window of All Souls College library at Oxford. With the mental ability of all the Plantagenets, this particular member of the house combined more than their usual gifts of person.

In his prime Europe beheld no princelier presence. It is a face singularly interesting to modern observers, because of its perfect conformity to modern standards of manly beauty. The chiselling of the features, the contour of the countenance, the pose of the head, even the way in which is worn the hair upon the upper lip and chin—in all these points one is struck by the modernness in appearance of the fourth son of the Third Edward. Wherever well-bred English gentlemen meet in our day, in club or drawing room, at Westminster or in Pall Mall, in the regiment, in the Senate, in country house or by the covert-side, may be seen to-day men who differ externally from John of Gaunt, not in feature or in carriage, but only in the accident of dress. Of all the aristocratic borough-mongers, who have stamped their character on the composition of the House of Commons, John of Gaunt was the earliest, least scrupulous, and most high-handed. Pride of race, and resoluteness of purpose, show themselves in every expression which passes over that hard and handsome face. Neither the ermine-bordered cloak, nor the sceptre resting against the shoulder as he is shown in the All Souls window, is needed to indicate the arrogant spirit, Royal by birth and tyrannical by opportunity.

For no single reason perhaps should one more regret the absence of full and living records of what happened in the Chapter House during the last half of the fourteenth century than because it leaves us without any circumstantial account of Gaunt's relations with the infant House of Commons.

Naturally at the opening of each session Gaunt would have taken his place amongst the King's counsellors of high degree on the right hand of the Monarch in the Painted Chamber or in Westminster Hall. When after the opening formalities the estates separated to their respective Chambers, Gaunt, if he never actually crossed the Chapter House threshold, would have walked up to it with one of his nominee members, giving him words of stern counsel by the way, and before leaving him reminding the shire knight or town burgess how to vote or speak if he would avoid the displeasure of his highly-placed and most autocratic patron. To our own century belongs a certain application of the sacred phrase: "Is it not lawful for me to do what I will with my own?" in which a great Duke disposed of a protest against dictating the votes of his tenants. The spirit of that later rejoinder breathed, one may be sure, in every sentence coming from the thin, but firmly-set lips of the man who still lives in the paintings of the Oxford window. Well, in those days, might the prayer of the Commons have been for the preservation of their champion, the Black Prince, and for deliverance from their enemy John of Gaunt.

Not even to Henry VIII. did the Commons show more absolute subservience than to John of Gaunt. The measures of the Good Parliament, which in 1376 did something towards purifying the court and checking the exactions of the Pope, offended John of Gaunt. Those reforms were therefore by statute undone, and declared a few years later to have been unconditionally repealed.

The president of that House of Commons, Sir Peter de la Mare, Knight of the Shire for Hereford, is thought by some to have been the first in his position officially styled Speaker. No one in his position before him had ever so clearly laid down his incompetence to say anything which was not from the whole body; therefore he added, if in summing up his

own impression of a debate he had fallen into error, the correction should be made before the House rose. Speaker De la Mare's panegyric \* on chivalrous exercises may not have given offence; but at the exposition of the duties of the Commons the wrath of John of Gaunt flamed forth. The repeal of the Good Parliament's Acts seemed insufficient; Speaker De la Mare was summoned before the King's Court and imprisoned. But nothing could cow this Speaker's spirit. Encouraged by demonstrations of the House in his favour, Mare appealed to Heaven for help, and charged John of Gaunt with oppressive taxation and abuse of public money.

The new House of Commons, which met at the Chapter House in 1377, was mainly constituted of Gaunt's henchmen. One of his household, Sir Thomas Hungerford, who represented Wilts, actually replaced in the Chair De la Mare, who continued in prison during some time. That all spirit of independence was not even thus extinct in the Assemblage is shown by the fact that an Opposition to the Court formed a compact and strenuous minority, repeatedly protested against the late Speaker's confinement, and eventually secured his release. The ascendancy, asserted by him over it, is not the only respect in which the relations of John of Gaunt to the House of Commons foreshadow its connection with Henry VIII.

Still more incongruous than the association of Henry VIII. with Cranmer and his Evangelical colleagues is the short co-operation developed by the accidents of the time between Gaunt and Wycliffe. Both the Plantagenet and the Tudor saw the opportunity of using for ends of Royal aggrandisement deep feelings in others with which their own sympathies were but superficial. Measured by the practices of his age, the libertinism of Gaunt was normal. The divorce experiences of Henry VIII. were scarcely more than a matrimonial habit of the time on an heroic scale.

\* *Parly. Hist.*, I., pp. 159-162.

In Henry's own family, his sister, Margaret Tudor, had been divorced from Angus, because the death of her first husband, James IV., at Flodden, seemed retrospectively uncertain at the time of her second marriage. To something like the same category belonged the case of the Duke of Suffolk, so nearly related to Royalty, who twice committed bigamy, thrice snapped the marriage chain; who began by marrying his aunt, and found a later wife in his daughter-in-law.

The point at which the unlikeness of the Plantagenet prince's connection with Wycliffe to the Tudor King's connection with Cranmer begins, is the intellectual contrast between the two. Gaunt was, above all things, the typical patrician of the period, a sportsman, a man of pleasure, fond indeed of politics, but fonder still of women and wine, especially the former, and a patron of the arts because it was the royal thing to be the friend of religious reformers, because they might help him to keep the Church in its proper place, under the heel of the State. By whatever royal road the knowledge had been brought to him, Henry VIII. at least was, by learning as well as by natural taste, a considerable theologian. The King of Castile, to give Gaunt his full title, wrote nothing to anticipate the English monarch's refutation of Luther. Tradition has handed down no arguments of Gaunt with theological experts such as those in which Henry VIII. delighted. In posing as a Mæcenas Gaunt resembled Wolsey even more than Henry. As a secular statesman, Gaunt resented the encroachments on the civil power of ecclesiasticism in general and Popery in particular. Wycliffe held out to him a spiritual weapon against the clerical enemy. Gaunt for a season showed a half-contemptuous encouragement or toleration of the man who had forged that instrument.

One service to the House of Commons of his epoch, and to the literature of all epochs, was rendered by the English King of Castile. Among those members of Parliament who,

during the last fifteen years of the fourteenth century, might be seen walking by way of the Strand, or in barge going by the river in the direction of Westminster from the City, was a man noticeable not for his stature, which seems scarcely to have exceeded the middle height, but for his delicacy of features, especially the lofty brow, the arched eyebrows, and the piercing grey eyes, meditative always in their look, but yet never failing to observe everything around them, and showing their possessor to find much food for fancy and keen human pleasure in everything which met his eye. Over all the features there plays a look of drollery which enables one to understand why the poet should have given himself the epithet of "elfish." This was a Londoner who dearly loved his native town—"the city of London that is to me so dear and sweet"—were the words applied to the British capital in the *Testament of Love*;\* for the member of Parliament who, according to one tradition, owes his seat to John of Gaunt, but who was probably indebted for it rather to some family connection with the county; be this as it may, certain it is that, fresh from his office as Controller of Customs in Thames Street, Chaucer regularly made his way to the Chapter House on the business of his Kentish constituents.

Than the poet, no member of the then House of Commons had acquired a more vivid and varied experience of State affairs. From early years Chaucer had attached himself to the Plantagenet Court. This under Henry I. had attracted Becket, John of Salisbury, and Joseph of Exeter. Its traditions, therefore, were not unworthy of the man who was to go down to posterity as the father of modern English poetry. Chaucer's practical knowledge of State affairs is attested, as it

\* Of Chaucer's interest in and liking for the London of his day, as well as his private connections with it, much evidence can be found in poems undoubtedly by him. The opinion, however, of Chaucerian scholars, as in the kindest way communicated to me by Professor Hales, seems to be against the *Testament of Love* being the authentic work of the poet.

must also have been enlarged, by more than one foreign mission for which he was chosen by his Government; now to the Low Countries, now to France, now to Italy. The general object of these journeys, that to France excepted, seems to have been commercial, and in the case of the Italian mission to have been followed by a quickening of the trade in silk and other fabrics between Genoa, Milan, and London. The success with which these diplomatic errands were fulfilled, together with such friends at Court as he already possessed, secured for Chaucer successively situations under the Government, and pensions. Those two sources of income placed him at an early age beyond the reach of want. Pecuniary, like matrimonial, troubles came, indeed, later on. But during the year 1386 his circumstances enabled him, as Knight of the Shire for Kent, to take his place among those country gentlemen of England who were the life and soul of the fourteenth-century House of Commons, as were their descendants of its successors. Geoffrey Chaucer, M.P., and Court Laureate, as informally he was, was thus among the first in the line of men of letters, whose muse has been nurtured on posts, to some extent sinecures, in the Civil Service of the country. So, some three centuries after Chaucer, Matthew Prior, the poet, educated at Westminster School, was called from the office of his uncle, the vintner, whose books he kept, to the Embassy at the Hague, where, finding favour with King William, he brought over, in 1697, the Articles of the Peace of Ryswick. Thus, too, in the eighteenth century, Richard Cumberland, the dramatist, at school contemporary of the poet Cowper, of Warren Hastings, and of the satirist Churchill, was taken up by Halifax, became secretary to the Board of Trade (1776-1782), went on a secret mission to Spain before he retired to Tunbridge Wells to write his comedies, essays, novels and pamphlets, and finally to descend to posterity better, perhaps, remembered as the Sir Fretful Plagiary of

Sheridan's *Critic*, and from the gentler satire bestowed upon him in Goldsmith's *Retaliation*. The most famous instance of State office combined with literary work in the seventeenth century is, of course, that of Joseph Addison. Midway in his literary career Addison had, through Lord Halifax, obtained the pension which enabled him to make the European grand tour. Later his poem on the Blenheim campaign was rewarded by a Commissionership of Excise. His Irish employment under Wharton enabled him to make the friendship of Swift, while, like Chaucer, though not for a county, but a borough, Malmesbury, the English Atticus had a seat in the House of Commons.

Elsewhere than in the Court, the palace, and the city had Chaucer studied human nature. He had been in the suite of Edward III. during his wars abroad. With the Peace of Bretigni, the poet gave up soldiering. Before his parliamentary career began, he is mentioned in 1367, as on many other occasions, in the State records as receiving a pension of twenty marks, which one of his biographers \* estimates as the equivalent of about £240 in modern money.

The tone of Chaucer's speeches, if he made any in the House of Commons, may be perhaps conjectured from some passages in his works. He wrote often as a man of the world who, if he did not approve that standard, yet made no pretence of being above the morality of his age. The "good Alceste," in the prologue to the *Legend of Good Women*, laments indeed that among men the betrayal of her sex is now "held a game." But Professor Ward also mentions † a tradition of Chaucer at the request of John of Gaunt having written a poem on Mars and Venus in undisguised celebration of an intrigue between Gaunt's sister-in-law and a nobleman to whom the Duke of Lancaster afterwards married one of his own daughters.

\* Goodwin, *ad. loc.*

† Chaucer, by A. W. Ward, p. 27.



So tolerant was the public opinion of this epoch ; purity of thought as well as of conduct was enjoined on his knights by the King who founded the Order of the Garter. Edward III. began well, as may be seen from his renunciation of his passion for the Countess of Salisbury. Later chapters in his history show him to have been no more exempt from the weaknesses of human nature than a monarch greater even than he, King Solomon, who fell before strange women.

But whatever the facts about the poet, as a critic of his age, his genius faithfully mirrored it in his writings. The Kentish M.P. was himself a product of its most notable forces. As he rose to address his brother members in the Chapter House, he must have seen around him more than one who might have sat for the portrait of his "Franklin," who had oft been knight of the shire ; if not, the landlord of the Tabard Inn, in Southwark, the vintner, Master Harry Bailly, may have sat in the same Parliament as Chaucer himself. For now the House of Commons every year numbered more of those who represented not only the great, but the lesser commercial interests of the realm.

On the accession of Richard II., two London traders and citizens among his Commons were appointed Controllers of the War Subsidies to the Crown. In the Parliament of 1382, commerce as a House of Commons force was organized to such a degree that when some of the more weak-kneed of their class proposed a merchants' loan to the King, a committee—fourteen in number—of the same order, not only negatived the proposal, but prevented its being carried out.

Now, too, begin to be apparent in the dress of the M.P.s. assembled in the Chapter House signs of foppishness, impossible before the period of English middle-class prosperity had begun. The floridity of official speech that has been already noticed was accompanied by the same tendencies in personal costume. Among the shire knights, and urban

burgesses who sat near to Chaucer, were many who might have sat for the poet's own portrait of "The Youthful Squire"; these were the Parliament men whose clothes were embroidered as it were a mead, "all full of freshest flowers, white and red." The finery of the feminine toilets of the period is minutely pictured in the description of the "Wife of Bath," with her "full fine kerchiefs and the bright colours of her hosen" as well as of other articles of attire. Nor were the costumes of the other sex much less elaborate. It was the age of bright colours and for both sexes of abundant silk and drapery too. The dimensions of the collars, the length of the pointed boots, and the general overlaying with gaudy ornament of the human frame, abounding as they did among those who sat with Chaucer in the Chapter House, suggest that even then to some of its members it was chiefly prized as a fashionable lounge.

Only so far as he found in it materials for the characters he has drawn can the poet be said to have reflected his House of Commons experience in his verse. Unlike Gower and Langland, Chaucer evidently tries, and very successfully, to avoid party politics in his poetry. The poet of the *Canterbury Tales*, conspicuous in his dark coloured dress and hood—with his right hand extended, his left holding a string of beads or a pen case, a satchel hanging at his side—was probably less familiar to the men in the Chapter House of the fourteenth century than it is to us of the nineteenth. His parliamentary life was a passing episode in his career, an affair not of years, but of months or weeks. Elected for Kent in the Parliament which met at Westminster, October 1st, 1386, Chaucer attended the House till the close of the session in November 1st; he received pay for his member's expenses for sixty-one days; he was not re-elected. When John of Gaunt, as Minister, was replaced by the Duke of Gloucester, the poet lost his seat,

and Court favour as well. This last he did indeed, to some degree, regain in 1389. But he did not again become a Member of Parliament. These details concerning Chaucer's parliamentary career were given me in the most obliging way by Professor W. Skeat. In the "Clerke's Tale" \* is a passage on the instability of the popular mind—"O, stormy people, ever untrue, and indiscreet, and changing as a vane"; this is supposed by some authorities to indicate the writer's opinion not of his own constituency, nor of his brother members, but his verdict on the national temper that first showing itself in the Peasants' Revolt, ended in the deposition of Richard II. The *Assembly or Parliament of Fowls* might be supposed to contain satiric hits at the House of Commons. If, however, there are here any contemporary allusions, it is much more reasonable to regard them as referring to Chaucer's diplomatic experiences of Courts and Cabinets abroad as well as to his own observations of human nature in the Civil Service of the Crown. Finally, two further considerations, of great importance in this connection, must be borne in mind. First, the *Assembly or Parliament of Fowls* was written long before he entered the House of Commons; secondly, after going into Parliament in 1386, Chaucer wrote little or nothing except the *Prologue* and the latest *Canterbury Tales*. To those, therefore, if to anything, must one look for the Chapter House reminiscences of the most illustrious knight of the shire who ever sat in that Chamber.

The transactions of the Parliament to which Chaucer belonged have necessarily been described above. It was in the year 1386 that the people's representatives in the Chapter House declared war against the corruptions of Court and Ministry, finding a short way with one royal favourite after another. The Chancellor, Michael de la Pole, Earl of Suffolk, was the first State offender against whom the Commons

\* Part VI., stanza 9.

exercised their newly-won power of impeachment. An Archbishop of Canterbury was the next. Then was carried into execution the bold plan for placing the Crown itself in commission; the whole power of the realm was delegated to a council selected by the Commons conjointly with the Lords. Chaucer's political temper was of the tolerantly Conservative order. That he shared the distrust of democracy, common to the reflective mind of most periods, is shown pretty clearly by the quotations just given above, as well as in a contemptuous reference in the "Nun's Priest's Tale" to "Jack Straw and his Company." \* Another allusion to the mob in "The Clerke of Oxford's Tale," already mentioned, is even more significant, because, in the margin to the Globe Edition (p. 200), it is especially assigned to the author, not to some later commentator. Into the month October 1st to November 1st, 1386, during which Chaucer sat in the Chapter House, were crowded more political parliamentary and national storms than even in those wild days often broke during so short a time. The discontent, now at its acutest point, with the King, found an active and ambitious leader in the Duke of Gloucester. In all these movements were involved Chaucer's own interests as well as the interests of the King. In the commission for regulating the kingdom and the Royal Household which was the outcome of the poet's single session, Chaucer saw the hand that was to rob the poet of his most lucrative employments. Yet though the attack on Richard was incidentally disastrous to Chaucer himself, the poet was irritated and scandalized by the wavering and reckless conduct of Richard. That would explain his lines on *Lak of Stedfastnesse*.† In the *Envoy* he speaks still more frankly,

\* Globe Edition, p. 139, line 4,587.

† Globe Edition, p. 630 :

Som tyme this world was so stedfast and stable  
That manne's word was obligacioun,  
And now hit is so fals and deceivable  
That word and deed, as in conclusioun,  
Ben no-thing oon, for turned up so doun  
Is al this world through mede and wilfulnesse  
That al is lost for lak of stedfastnesse.

adjuring the King "to desire for to be honourable, to cherish his folk, to hate extortion etc." That on the whole, Chaucer, during his short Parliamentary career, ranked as a "King's man," that he would, in modern phrase, have received the Royal Whips is proved conclusively by the treatment dealt out to him by the Opposition.

Richard had, in effect, challenged the House of Commons to a contest. The issue which practically effaced him deprived the most distinguished of the King's parliamentary supporters of his position in the Customs House. When Richard regained something of his prerogative, Chaucer obtained fresh appointments. His intimacy with John of Gaunt may have caused the poet to reflect the varying moods of that prince towards the King, and so explains the change of political temper which the writings at the places already indicated show. But fluctuation of feeling may at least reasonably be attributed to the wearing out of the patience of those who, like Chaucer, wished Richard well, even when the often-warned monarch was driving wildly for the precipice. One thing is not doubtful. The writer of the *Canterbury Tales* was a Royalist who never despaired of the Monarchy, and who regarded the Commission of 1386 as a desperate remedy for an evil curable in no other way. If not from the first, and consistently throughout, yet certainly at last Chaucer attached himself to Bolingbroke, who succeeded Richard as Henry IV. That biographical detail is contained in the poet's own words.\*

The factions excited by his own conduct against Richard II. and the jealousy of the aspiring nobles who saw their

\* See Envoye to his *Complaynt to his Purse*, p. 634, Globe Edition :

O conquerour of Brute's Albioun,  
Which that by lyne and free eleccioun  
Ben verray kyng, this song to you I sende,  
And ye that mowen al myn harm amende,  
Have mynde upon my supplicacioun !

opportunities in the disfavour into which their King had fallen, lay upon the surface. Beneath these Chaucer must have discerned the deeper moral and political issues in Church and State with which the times were charged. Like other thoughtful men, he recognized that the struggle for supremacy between Church and State had already begun. He probably foresaw the later commencement and the general course of that series of movements and combination of forces which were to end the Papal prerogative in England, and in its place to establish a State-regulated religion. But Chaucer persistently looks at spiritual and religious affairs in their social and secular aspect. His knowledge of Divinity, as of other intellectual subjects, was vastly more extensive than that of his patron, yet John of Gaunt himself could not have affected the theologian less than was done by Chaucer. There were many questions rising out of the daily life of the people and out of the attitude of the State towards private society and enterprise which, more than these higher themes, occupied the musing mind of the poet during the intervals of debate, or as he walked with his abstracted look but brisk step from the Chapter House at Westminster to his office in Thames Street, or to his private dwelling at Greenwich.\*

This was the era of positive legislation in its most inter-meddling form. Sumptuary laws regulating the price and the substance of personal clothing, the length of a boot or the folds of a drapery, were the commonplaces of the session. The same power which fixed the wages of labourers, and by restricting their movements deprived them of a free market for their industry, claimed to limit the private expenditure of Chaucer's fellow-citizens and to prescribe the ordering of their

\* That domicile may explain why Chaucer sat for Kent in the Commons. While the poet was in the House he would not seem to have lived at Aldgate, where his dwelling, October, 1386, was granted to Richard Forster. In the Aldgate house were written most of his middle period works; but on all this see Professor J. W. Hales's *Folia Literaria*, p. 88.

daily lives. Such notes of the doings of both Houses as have come down to us suggest that the nation, through its parliamentary representatives, was already growing restive under this intolerable system of hampering and inquisitorial control. In some measure Montfort had foreseen the days of representative government. Self-government in something like the complete sense of the phrase was beginning to be the intelligible ideal of Chaucer and of his contemporaries. The commercial prosperity of the country was now surely founded. The trading classes had forced upon Edward borough representation. To these classes by birth, by association, and by sympathies, the Shire Knight for Kent during the latter part of the fourteenth century belonged. Listening to the House of Commons debates of his day, Chaucer must have seen a certain unreality in the wearying and acrimonious discussions about the machinery of government and the forms of administration. Whole sittings were occupied with wrangles as to whether Richard was to have one body servant more or one body servant less. When that point had been decided there remained for consideration the graver question whether, in the spending of a particular subsidy voted for him by the knights and burgesses, the King was to have any discretion at all, or the minutest detail of each disbursement was to be prescribed by his servants, gradually becoming his masters, in the Chapter House.

These things, as others besides, Chaucer knew were means, not ends, of political government and national welfare. On his diplomatic missions abroad the poet had noted the achievements of the great Italian towns under a system of the freest self-government. The same conditions under which Pisa, Genoa and Florence flourished as autonomous communities were increasingly being realized in England, where every year added to the material wealth, and so to the parliamentary power of the middle classes. So clearly was

Edward IV. to perceive this, that he could find in it an instrument for Yorkist independence of the estates at Westminster. Nor indeed could there be a greater tribute to the power the House had obtained than Edward's dislike to convene it. Only that King's adroit management of his commercial and moneyed subjects and the cash advances resulting therefrom, enabled him in the next century to Chaucer's practically to dispense with any sittings in the Chapter House at all. Apart from the graver steps taken by the Parliaments of Chaucer's time to transform an absolute and mediæval into a constitutional monarchy of the modern pattern, and to put down corruption and extravagance in high places, the House of Commons as little as the House of Lords showed anything like intelligent appreciation of those great changes in Church and State—those beginnings of secular self-government, and of religious independence of Rome for which the nation had long been steadily ripening.

The House of Commons' journals and the meagre details with which, from other sources, the *Parliamentary History* supplements them, contain no *data* for forming a trustworthy idea of the personal life of the Chapter House or of those who sat in it, and who may have been notable figures in the House of Commons' history of their day. The lists of the Peers summoned by writ at the beginning of every session are from the first tolerably complete. In the Commons no such catalogues are given. At the most the Speakers are mentioned.

With the Lancastrian period opened by the reign of Henry IV. signs increasingly abound of the activity of the Lower House, the lineaments of famous or active men belonging to it; the facts available are still few, but the leading figures gradually clothe themselves with distinct personalities of their own. The first House of Commons of Henry IV. sat between the beginning of October and the latter part of November. It



consisted of 74 shire knights, and more than 200 borough M.Ps.\* The state of the national defences was the chief Imperial business before it. More than one famous Speaker at different times filled the Chair; exceptional popularity was shown by almost indefinitely re-election to the post. Thus, Roger Flower, who belongs to this period, if not to the House now spoken of, was unanimously chosen by his brother M.Ps. and by the Royal favour upon no less than four separate occasions to the Chair. But the president whose person stands out most distinctly during these years is that of Sir Arnold Savage, of Bobbing, Kent; a man full of the dignity of his position, of such florid volubility of speech, and of such inexhaustible power of rhetorical declamation as to render him proof against any signs of fatigue in the Chamber or even appeals from the Sovereign when he was present at debates to cease his utterances. After the manner of the time, the session had opened in the Great Hall at Westminster with a metaphysical and theological disquisition from Archbishop Arundel on the words out of Maccabees: *Incumbit nobis ordinare pro regno*, or, as the preacher paraphrased it, "It is the King's will to be governed by the honourable, discreet, and sage men of the realm, and not by his will or humour."†

The example of that discourse seems to have furnished Sir Arnold Savage with the inspiration which his audience must above all things have dreaded. Not to let himself be out-done by the Court preacher, strong in the consciousness of there being no one to call a Speaker to order, Savage began a series of addresses on all the considerable subjects of the time, civil and religious, domestic and foreign. Henry, who had come to see and hear, sat in patience till the third address

\* Stubbs, Vol. III., p. 15.

† All these details connected with parliamentary doings or sayings are to be found originally in the *Parliamentary History*, Vol. I., at the date mentioned.

commenced. After this he requested the Commons, through their irrepressible Chairman, to put their petitions to the Throne in writing, and promised his best attention to them. The King did not fail in his word; the result was a fresh security that redress of grievances should precede Supply.\* The great work of this House of Commons, which had followed after two years that of 1399, seems to have been legislation against the Lollards. Archbishop Arundel, like others of his order bitterly opposed to the followers of Wycliffe, cleverly used, to the prejudice of the sect, the popular feeling which had rendered possible the deposition of Richard II. The occasional friendliness shown by the fallen King towards these predecessors of the later Puritans was manipulated by the Primate as the best of all arguments for persecuting them anew. In the House, too, at this session, the Lollards had no friends. Sir John Cheyne, himself an ex-Speaker, had ceased to be member for Gloucestershire; Sir John Oldcastle had not yet been returned as Knight of the Shire for Herefordshire. The feeling of the House at this time seems, however, to have been less one of active dislike of the oppressed Evangelicals than of intolerance of, or indifference to, religion generally. For after its reprobation of Lollardy, the House proceeded to insist on the execution of the Statute of Provisors, which in the past had been periodically relaxed. It also passed resolutions in favour of confiscating those foreign priories which in the year after his accession, 1400, had been re-established by favour of Henry IV. But, as Bishop Stubbs has reminded us,† we are unusually in the dark as to the doings at Westminster at this particular epoch. Between the end of 1401 or the first month of 1402, and the September of that year, a gap exists in the parliamentary records. It was a time of national distress; the realm felt itself under God's heavy hand; the Commons lacked

\* Stubbs, III., p. 29.

† Vol. III., p. 36.

the spirit or courage for active business, but, patriotic if inactive, asked the King, should its services seem useful, to let it advise with certain Lords.

One of the consequences of this partial abdication of its duties by the Commons seems to have been a brief revival of the authority of the King's Council which in normal times the Commons had during some years superseded. But for the present the victorious advance of the House of Commons continued without any serious check. This triumph under the Lancastrian dynasty was not due to any marked enthusiasm for the popular Chamber in the country, or to any commanding ability in the leaders of the House. The Lancastrian Kings befriended their Parliaments less by any special constitutional loyalty to it, than by their administrative ineptitude. Before his course was half run Henry IV. knew the whole body of his subjects by their representatives in the Chapter House to have taken the place of the great barons as the makers and unmakers of Kings. In 1406 the Commons, having already gained the power of allocating their subsidies to specific purposes, demanded the right themselves to audit the items of expenditure. The Royal reply was, that Kings do not render accounts to anyone. The words were soon to prove an idle boast. The next year, without being asked for, the accounts were submitted to the burgesses and knights in the Chapter House.

Nor does this fresh prerogative of the Commons seem ever to have been challenged by Sovereign or Minister again. In 1433 the Court official who laid the nation's budget before the Parliament offered no protest against the criticism of each entry by the Commons. It seems like a prophecy of the future that the name of the King's representative now accepting the supremacy of Commons over Court should have been a Cromwell.\*

\* Stubbs, III., p. 267. *Parly. Hist.*, I., p. 371 and following.

Borough-mongering and other modes of manipulating the constituencies remained the Court policy, not less in the Lancastrian than in the Plantagenet period, for influencing the House of Commons. Under Richard II. the Sir John Bussy who, as has been seen, so tamely surrendered Haxey, M.P., owed his three elections to the Chair to his approval by the Throne. In the last Parliament of Henry IV., and in the early Parliament of Henry V., Thomas Chaucer was chosen Speaker, not so much because of his illustrious lineage, or his outspoken championship of House of Commons privileges, as because he came of a Court family. He was a son of the poet, by a sister of the Catherine Swynford, who had been first the mistress, then the wife, of John of Gaunt. The evidence for this relationship between the Speaker and the poet is, as was first pointed out by Professor Hales in *The Athenæum*,\* of such contemporary authenticity as to dispose of any difficulties in establishing the fact. The decisive witness is Gascoigne in his *Theological Dictionary*, existing only in MS. in Lincoln College, Oxford, library. Gascoigne lived most of his life at Oxford; he was thus nearly a neighbour of Thomas Chaucer during his long residences at Woodstock and at Ewelme, the direct road between which passes through Oxford. In 1434, the year of Thomas Chaucer's death, for the first time Gascoigne was Chancellor of the University; he might, therefore, well have attended the late Speaker's funeral at Ewelme.†

In the Chair of the Commons Thomas Chaucer must have disappointed the expectations of some who had exerted themselves for his promotion. As Speaker he insisted on the

\* March 31, 1888. Reprinted in "Folia Literaria," p. 109, by Professor Hales, to whom, together with Professor Skeat and Professor A. W. Ward, I owe these Chaucerian details.

† Gascoigne's words in the Lincoln College manuscript (he has been speaking of the poet) are: Fuit idem Chauserus pater Thomæ Chauserus (*sic*), qui epelitur Ewelme juxta Oxonian.

absolute right of all members to the most perfect freedom of speech;\* especially did Thomas Chaucer denounce those courtiers who hung about the Chapter House precincts in order to report the independent words of members to the King or to the Upper House. The son of the father of English poetry inherited the patriotism, if not the genius, of his sire. The *Parliamentary History* of the time has many brief references to Thomas Chaucer's exhortation to the House to look to it that the national defences of the Cinque Ports and elsewhere were kept in order, and that, of the sums voted, every penny was properly expended.

The truth seems to be that by this time the public opinion both of the House of Commons and of the country was so strong in favour of unfettered liberty for the people's representatives in the Chapter House, as to neutralize any obsequious disposition on the part of individual Speakers, and perhaps unconsciously to imbue them with the spirit of loyalty to the Chamber and disregard of its highly-placed foes. Thus came it about that even among the early Presidents of a servile and corrupt time, there were not wanting those who prefigured the part which, in another century, a Lenthal was to play.

Some proof of this may be seen in the fact that, during the usurpation of Richard III., the crafty instrument of the King who then filled the chair, Catesby,† found himself on more than one occasion carried away by the strong feeling of his fellow Commoners against Royal interference. Of all the

\* The *Parliamentary History* of this period contains more frequent, though very fragmentary, references to Thomas Chaucer's patriotic activity and speech in the Commons between 1440-5, and in the *Parliamentary History* will be found the details on which are based these statements concerning Thomas Chaucer in the House.

† See *Parly. Hist.*, Vol. I., p. 442, where the name of this Speaker is mentioned among the Judges summoned to Richard III.'s Parliament, which seems to have had a rival in an assembly of laymen played off by the King against the Estates at Westminster.

Houses of Commons belonging to this period, none would seem to have been more noticeable than that which sounded the doom of Henry IV.; to the joint support of the estates that Sovereign owed his throne. The disregarded protests of the gentlemen, merchants, and Commons in the Chapter House assembled, were the heralds of his overthrow. This is the Parliament characterized by Bishop Stubbs\* as indicating the high-water-mark of mediæval constitutional life. The session lasted, with one or two short prorogations, during the summer from the June of 1406 till the following December. The aggregate of sittings amounted to 159 days. The victory of the House of Commons was complete. After yielding them the entire control of his household, the King finally consented to a committee of the Commons being the custodians of their own records, instead of as before, a Court officer.

Other achievements cause the House of 1406 prominently to stand out from the monotonous or uneventful parliamentary records of the age. The borough members were still for the most part the nominees of a few Government officials or of the great trade corporations and guilds. The shire knights were entirely the free choice of the counties. The whole Assembly was not less conspicuously independent of the Upper House than of the King. A few years ago the "feeble and ignorant Commons"† had entreated the King for a conference with the Lords; an entire change has now come over; now they resent, as a breach of privilege, a suggestion for such an interview when made from the Throne. The popular and social appreciation of membership of the Chapter House, which was a great feature of this time, may be explained or suggested by the fact that for the session of 1406, the

\* *Const. Hist.*, Vol. III., pp. 53-7.

† In such words, according to the *Parly. Hist.*, did the Commons once, through their Prolocutor, habitually describe themselves to the King.

memorable 159 days, the wages of the House of Commons was £5,000—only by £1,000 less than the money given to Henry IV.\* From Geoffrey Chaucer, Speaker Thomas, who seems to have sat for Ewelme, in whose church he is buried, and who was most active in the 1410 Parliament, may have derived a general sympathy with the party of religious reform.

At any rate, when the Lollards, who once more were a power in this House of Commons, retaliated on their clerical opponents by suggesting a confiscation of Church estates for secular purposes.† By this means there could be endowed out of the church property 15 earls and several other nobles of less degree.‡ No stormier session than that in which Speaker Chaucer stands forth so prominently had ever been witnessed in the Chapter House. Some of the success of this First Commoner came from a refusal to know when he was beaten. More than once he was called angrily to account by the King who “would have no novelties.” Speaker Chaucer pocketed the reproof, apologized in words, but, like an early Palmerston, went on in his own way, and practically carried every point. Both Henry IV. and Henry V. were eventually constrained to recognize the supremacy of the Commons. At no previous time, indeed, had the House shown itself so strong against the official Executive, whose depositary was still on emergencies the King’s Council. Not for two hundred years was the House again to fill so commanding a position.

Both the monarchs just named found their immediate return in subordinating themselves to the popular Chamber; they stooped to conquer. Their loyalty to the people’s House secured them the staunch support of their people. Strong in this they both led the nation, and with the help of the House of Commons, made England the first Power in Europe. Only

\* Stubbs, *Const. Hist.*, III., p. 56.

† Stubbs, III., p. 63.

‡ Stubbs, III., p. 64.

as regards the Lollards can Speaker Chaucer be said to have failed. Yet even here his influence tended to mitigate the treatment received by these religious reformers, the periodical rumours of whose rising in the country explains the occasional outburst of severity against them. Their oppression, however, was not often carried to extremes. Sir John Oldcastle, the staunch Lollard champion, afterwards Lord Cobham, imprisoned while member for Herefordshire, as a Lollard suspect, in the Tower, contrived with the connivance of his keepers to make good his escape. But among the personages in the Lancastrian House of Commons, none is to posterity of such importance as Sir John Fortescue, the great Lancastrian lawyer, to whom the education of his son was entrusted by Henry VI. Fortescue seems to have been a member of the family whose Devonshire seat is Castle Hill, near North Molton. He did not, however, sit for any place in the Northern division of his native county. Between 1421 and 1423, he represented Tavistock; in 1425 he was returned for Totnes; in 1436 his name occurs among the members for Wiltshire. His words, uttered in the Chapter House, had in weight what they lacked in number. He had studied under the greatest academical masters, or in the best books of his age, the political philosophy of ancient and modern times. The impartial and original knowledge of the close and deep thought on public affairs disclosed in speeches, entitle him to a place in the most thoughtful, learned and profound commoners of any age—a place by the side of Sir Thomas More in the coming reign, of Sir James Mackintosh, of John Stuart Mill, or of John Morley, in the Victorian Age. Fortescue's view of the Lancastrian constitution implied a contrast not only with the condition of things under Richard, but with the continental Governments of the same period. Not in any House of Commons traditions of his spoken words, but rather in his authentic writings, shall we



find specimens of Fortescue's constitutional views and political discourses. These writings contain the scientific expression of the Whig views of the relations between the King and the parliamentary Estates. Fortescue's political definitions have their roots in the writings of the school men and especially of Thomas Aquinas. His own remarks are eminently practical and opportune, taking as they do cognizance of all the issues with which the political atmosphere was then charged, and not neglecting any of the decisions embodied in accomplished facts. Alone among the men of his day, Fortescue puts into most exact and clear language the theory and practice of fifteenth century parliamentarianism, embodying as these do the doctrines which a later century was for ever to establish. No such educating influence as this had appeared before in the Chapter House.\*

On a review of all the facts, the fifteenth century progress of the Commons in the Chapter House is really matter for some surprise. Though the eventual outcome of the Peasants' Revolt of 1381 was the creation of the forty shilling freeholders, so long the basis of our electoral system, many years had to pass before the obloquy attaching to the people's representatives for their attitude to the working classes disappeared. The House indeed was not as exclusively a chamber of landlords and capitalists as John of Gaunt might have liked. The process of converting serfs into yeomen once begun, slowly continued; but to the masses the legislators of the Chapter House seemed a disastrous check to their social well-being. The sixty odd years of the Lancastrian dynasty signaled of course the triumph of a parliamentary over an hereditary monarchy. But the Yorkist succession, the most emphatic contradiction of the

\* For a full account of Fortescue's views, position, and writings, see Stubbs' *Const. Hist.*, III., p. 240-1. But I am also personally indebted for many other details kindly given to me in private letters by the Bishop.

principle embodied in the Lancastrian House, was effected without difficulty, and was consonant with public feeling. Edward IV. practically dispensed with the House of Commons ; from his citizen subjects direct he obtained easily by loans whatever sums he wanted. Grateful that upon the whole his reign was peaceful, patriotically proud of the victorious results that crowned his few wars, the nation uncomplainingly acquiesced in the continued absence of the Commons from the Chapter House.

Nor during all this time does any popular protest seem to have been made against the gradual narrowing of the parliamentary franchise, or against the growing tendency of the official class to regard the suffrage not as a right inherent in freedom, but as a privilege to be conceded by Royal favour. On the one hand the trade corporations or guilds, on the other the charters granted to towns, kept the voting power of the constituencies in a very few hands. If there had existed any wide or real enthusiasm for the elected of the people, this could not have been the case. No doubt by this time an Assembly conducting, as the men in the Chapter House did, all their business in the English language had something of an educating effect, and gave speakers and audience in the nation at large. But as one takes leave of the Lancastrian period of the House of Commons, and remembers the scandals of disorderly assemblies (*e.g.* the Parliament of Bats held at Leicester in 1426) amid which this epoch closed, one is less surprised at the ease with which the Tudors made the House of Commons the passive instrument of their imperious will than at some reassertion of House of Commons independence under Edward VI. and Elizabeth, or at the revival of parliamentary enthusiasm and loyalty to the House of Commons under the Stuarts.

## CHAPTER VI.

## THE REFORMATION HOUSE OF COMMONS.

The new era in the Chapter House, House of Commons, begins in Henry VII.'s reign—Representative men, in the modern sense, now first appear—How this is shown in the tone of the speeches or sermons preceding the openings of Parliament—Especially the sermon of Bishop Alcock—Increased interest of the House of Commons in all social and especially labour questions—The silk trade and protection to native industry cry in the fifteenth and sixteenth century Houses of Commons—Speaker Dudley and other Court nominees in the Chair—The House of Commons under Henry VIII.; new constituencies; increased importance of borough members—The Court Manager in the sixteenth century House of Commons: Thomas Cromwell, M.P. for Taunton and K.G.—Personal appearance; antecedents and influences moulding his character and work—What he had learned under Wolsey; how fitted by those lessons for his work under Henry—The composition of the Reformation House of Commons; fairly representative, notwithstanding Court influences—Cromwell's first appearance and maiden speech, and favourable impression produced by him; his defence of Wolsey; the exact work given Cromwell by Henry to do; his House of Commons management—Contrast between Thomas Cromwell and another contemporary M.P.—Speaker Sir Thomas More—Other independent speakers of that period—More's personal appearance and life and diplomatic and academic education before his parliamentary experience began—More's maiden speech praised by Wolsey—More's later independence—A prediction of the independence of later Speakers, *e.g.*, Lenthall, but cause of offence to Wolsey—Popular temper of the time towards the Pope and Roman Christianity; how far reflected in the House of Commons, and shared in by Cromwell—Special incidents, popular and parliamentary, secular and religious, preparing the way for the Reformation Statutes in the Chapter House—Details, order and scope of the Reforming legislation which if in advance of popular feeling, passed practically without opposition—Absence of real protest in the House proof of its imperfectly representative character—Parliamentary importance of the Reformation in giving the Commons St. Stephen's Chapel instead of Chapter House.

IN a sense in which the House of Commons has not seen them before the Tudor period introduces us to representative

men—individuals whose importance arises not from their being protests against, or exceptions to, the tendencies of their age, but rather the personal embodiments of its spirit. Of the earlier Speakers the most striking was Peter de la Mare, whose greatness consists in his daring to resist, for himself and his Chamber, the influences of the Court, whose tool John of Gaunt wished the House to be. The Popular Chamber could find no champions under the dynasty of York for the sufficient reason of the Yorkist Kings seldom convening it.

The parliamentary characteristics of the Tudor period are suggested in the address with which Bishop Alcock at the beginning of the first session of Henry VII. encouraged Lords and Commons to the despatch of business in their separate Chambers. More pedantic, and full of Latinisms, subtleties, and conceits than was customary even at that epoch, this inaugural homily differs from its predecessors in the undiluted shamelessness of its servility to the Court. "Good luck have thou with thine honour; ride on," was the actual text; but the preacher's real argument is that the hopes and prophecies of all great writers, scriptural or secular, and of every epoch, were faint forecasts of the privileges awaiting Englishmen under the first Tudor King. To this pointed the wisdom of Menenius Agrippa, in the famous fable addressed by him to the Roman plebs at "Mons Sacer." Much, too, of what Ovid had written about the Golden Age found its real fulfilment in the Royal suppressor of the Yorkist usurpation.

Similarly, the fathers of the Christian Church—Ambrose, Isidore, and others—were inspired to their finest utterances by a vague presentiment of the era which the seventh Henry would open to his country. As Speaker, Dudley, the notorious colleague of Empson, fitly summed up in his person the ready subserviency of the Commons to the King. The great historian of the age, Francis Bacon, justly sees in that

nomination to the Chair proof of the King's considering himself to be the chief person of his Parliament.\* With the century which seated Henry Tudor on the Throne, modern history is reckoned to begin. Now first the volumes of *Parliamentary History* sound a distinctly modern note. The period of Bright and Cobden seems foreshadowed as one reads of the interest taken by both Houses, especially by the Lower, in social and commercial subjects, such as protection to native labour. Silk manufacture was now well established as an important branch of English industry. It was the silk trade which gave rise to diplomatic missions like that of Geoffrey Chaucer to Italy and of Sir T. More to the Low Countries in the fourteenth and sixteenth centuries. The early Tudor Houses of Commons patriotically resented any approach to Free Trade. Their legislation for protecting the English silk trade was uniformly drastic; all articles of that manufacture worn in this country, subject to severe penalties, were required to be of English make.†

The popular complaints of the extortions with which his name was associated, and the parliamentary expression which these documents found, did not prevent Dudley, a King's Counsel and of good family, from being Speaker. He more than once had it in charge from his Royal master to promise a reparation, never actually forthcoming. In another matter, the House accomplished a real social reform. The conversion of tilled land into pasture had, during more than a century, been an agricultural grievance; to that process, subversive as it was of the most national of British industries, a limit was now put.‡

But in this Tudor period stands forth a parliamentary personage who, in another way, is as typical of the time as

\* Townsend's *History of the House of Commons*, Vol. I., p. 7.

† *Parly. Hist.*, I., p. 466.

‡ Stubbs' *Lectures on Medieval and Modern History*, p. 363.

the agent of Henry VII., whose manner and features are as remarkable as the historic significance of his life and work. As in previous reigns, so under Henry VII. did the national or political jealousy of the clergy, and especially of the hierarchical organization of Rome, become increasingly the subject of House of Commons protest. Now is the time to change the records of few dates and fewer names constituting the parliamentary chronicle of Henry VII. for the living parliamentary figures of Henry VIII.

During 1529 at the latest, and thereafter, a man with nothing of personal distinction about him, but still of very noticeable presence, walked daily to the Chapter House at a strong, quick pace from his house in Throgmorton Street, near Austin Friars, the present site of Drapers' Hall. Broad and thick-set in figure, he wears his hair somewhat longer than was then the fashion to do; his face is absolutely clean-shaven; the figure held upright. The idea given by his look and carriage is that of a man thinking deeply on important business, with whose transaction no sentiment or scruple will be allowed to interfere. The particular features attracting attention are the square, low, resolute forehead, the massive jaw, ending in a double chin, and the inordinate space between the nose and mouth. The eyes are small and prominent, the upper lip extremely long and strong, overhangs a versatile and cynical mouth. At a glance one knows breeding has not moulded the manner, nor culture refined the mind, of this member of the Assembly, which still sits in the Chapter House. A commonplace cleverness, though upon an exceptional scale, an ambition deep but self-seeking, a mind crafty and cunning, but neither profound, powerful, nor really far-seeing: these are the qualities stamped in every line of the countenance. If one were to see this man in his daily dealings with his fellow-creatures, one would be most struck by the ready variety of different manners, pointing to a corre-

sponding versatility of character. Coarse, blustering, truculent to his inferiors, or to those over whom chance gives him power, as it was soon to do, with certain clergy of the realm and prisoners of State; towards those above him, for instance at Court, he never fails either in self-composure, or in suberviency. Among his friends some have praised his genial and affectionate disposition. His family had always found the careful and the indulgent father. Such, on the surface, is Thomas Cromwell, first M.P. for Taunton in 1529,\* and as House of Commons manager, the chief agent of Henry VIII. in the series of parliamentary measures that were to substitute in Church and State the supremacy of a King for the control of Pope or Council.

The great statesman, organizer and diplomatist of the sixteenth century, Cardinal Wolsey, wanted a man to do his own and his master's business with the men who sat in the Chapter House when Sir Thomas More was Speaker. Cromwell began well and magnanimously. As champion of his old chief, Wolsey, he produced upon all on the benches near him a favourable impression throughout the Chamber. Long before his actual fall were heard in the People's House murmurs, soon becoming complaints, against the Cardinal. After Cromwell had taken his seat these vague sounds became specific charges. With so chivalrous an indignation, and with such circumstantial argument, were these accusations handled by Cromwell as to call forth general applause. His parliamentary work, which all men saw, was, perhaps, the least of what each day he did. His correspondence still survives to show the incredible industry of his pen, and his intimacy with the most active and powerful of his contemporaries. Many of his fellow-subjects saw in him only a genial host and man of

\* For the personal details about Cromwell I am indebted to Mr. A. Galton's monograph, originally published at Birmingham, and to his very full references to older authorities.

pleasure, for he kept a large establishment, was fond of horses and hounds; he might, too, frequently be seen trying his hawks against the herons in the marshy ground of the Thames Valley. Wolsey fell; in his place there arose the man now briefly sketched, whom his contemporaries knew as the *Malleus Monachorum*.

The part he was now to play cannot be understood without some reference to the conditions under which the rôle was assumed. That Thomas Cromwell's acquaintance with Thomas Cranmer may have inspired Cromwell with a genuine interest in the most serious questions of the day seems probable. The really educating influences in the man were those of mediæval Italian statecraft. He had, no doubt, imbibed also some of his old master Wolsey's temper towards abuses in the Church. The Cardinal's attitude towards clerical corruption was less those of righteous indignation than of contemptuous disgust. Such evils, together with the papal pretensions towards England, must, as Wolsey had long foreseen, end in the repudiation of the Roman obedience by the English King and Parliament. Satirists less-gifted than Erasmus had made the Papacy and priesthood the laughing-stock of Europe. Roman Christianity, the form of faith established in these Islands, had lost its spirit, its unction, its very life before Thomas Cromwell took his seat in the Chapter House for Taunton. Without any claim to lofty statesmanship, Cromwell, watching the condition into which the Church had fallen, must, as a keen-witted, hard-headed, coarse-minded Englishman, have known from the first the Papal system, as the religion of modern England, to be doomed. It is not necessary to impute to him any spiritual preference for the gospel of Luther over the system of Rome, or to suppose the theological aspect of the subject had ever engaged his thoughts. He was probably not more of a Protestant than Henry himself ever became. He felt towards the Papal faith and ritual



much as a practical Roman of the Empire might have felt towards his native paganism when the old religion was tottering to its fall and the new was not yet founded. Such an one as this would have noticed the aristocracy of his country continuing their sacrifices to the gods of Olympus long after they well knew these deities to be fables. Scorn or sadness, according to the temper of the individual, would have been the emotion chiefly excited by the spectacle of noble virgins still attending at the Temple of Vesta, and a patrician pontifex yet insisting on the scrupulous performance of the minutest rites in the ceremonials of the Capitol.

Such, too, may well have been Thomas Cromwell's situation, and such his sentiments as he witnessed the extinction of the old era in religion and the coming dawn of a new. The son of a small tradesman, half maltster, half blacksmith, and himself at one time a small money-lender, he is not likely to have troubled himself on the doctrinal aspects of the anti-Papal Commissions given him by Henry to execute. The confiscation of clerical revenues which gave Cromwell his historic name, *Malleus Monachorum*, was the final stroke dealt by the King at Roman influence in England. Before that crowning achievement the work of the Taunton member was to act as Royal agent, organizer, and Whip in the House of Commons; to pack a House, to keep a House, and to get up those petitions of the House on which legislation was based.

It is not enough to describe Thomas Cromwell as being in his vehemence and coarseness a type of the human tool indispensable for the consummation of sudden and sweeping changes. It was an age not only of violent transition, but of extraordinary confusion of spiritual and secular functions. The tendency to regard ethics as a branch of politics inherent in the Greek mind of old, and shared alike by Aristotle and Plato, explains the slight progress made by moral science in Pagan times.

The personality and conduct of Henry VIII.'s instruments for transferring the autocracy of the Roman Pope to the English King, are unintelligible if it be not remembered that the life and the functions of laymen and ecclesiastics were separated by no conventional line and that the highest offices of Church and State were often united in the same men. Sometimes the earthly vicar of Christ might be a fanatic and partizan like Julius II. More frequently he was a saunterer through the paths of pleasure like Leo X. The college, whose members, as Cardinals, had the making of Popes, "princes of the Church in name," were in fact men of affairs, of politics, of diplomacy. As such they never affected that their kingdom was other than of this world. The spiritual and intellectual preceptors of these pagans veneered by Christianity, were not the fathers of the Church, but Roman writers of the Golden Age.

Guizot, in his life of Luther, quotes the phrases in which the mediæval worldlings who claimed spiritual descent from the Galilean fishermen as their ancestors, referred to the mysteries or ceremonies of their Church. The holy father, was, of course, the pontifex Maximus. A canonized saint in the same way had been *relatus inter divos*. The classical phrase for the Pauline Grace was *Deorum immortalium beneficiis*. The priesthood throughout Europe had become a close corporation for influencing public opinion to its own ends.\*

In England the Latinity of the Roman clergy was less fastidious. Their atmosphere was not more spiritual. Their absorbing interests and employments were equally secular. The man who sat in the chair of Augustine at Canterbury was frequently also a successor of Francis Bacon, Lord Verulam, in Parliament and Court. Either simultaneously or

\* On these points see Sarpi's *History of the Council of Trent*, p. 161, where it is shown that the education of the laity in all things was and belonged exclusively to the friars.

in close sequence, Wolsey was the titular holder of the Sees of Durham, Lincoln, of Winchester and of York. His practical business during all this time was the general supervision of politics at home and the absolute and never suspended direction of diplomacy abroad. Other Anglican prelates were not less mundanely engaged. Bishop Fox, of Winchester, was Lord Treasurer, Bishop Ruthall, of Durham, a principal Secretary of State, Bishop Tonnill, of London, was Master of the Rolls. Among the lower clergy a like practice prevailed. Civil preferment, political, legal, or diplomatic, seemed the legitimate object of an ordinary clergyman's ambition. Twenty-three of these divines mentioned by Bishop Gibson held on an average eight benefices a-piece, while their real business was the transaction of His Majesty's State affairs.\*

In such an age as this, spiritual refinement or theological conviction was not to be looked for in the effective instruments of the great changes now impending. Had his native shrewdness not observed the fact, his association with Wolsey, long before he entered Henry's service on his own account, would have convinced Thomas Cromwell of the inevitable doom impending over the existing dispensation.

Wolsey had applied to Rome for leave to suppress some of the smaller monasteries in the interests of the higher education of the English people; the Cardinal himself visited all the clerical foundations and societies of the realm. The beneficent result was the foundation of the great school at Ipswich, and of the House at Oxford, now known as Christ Church.

Other Churchmen than Wolsey had perceived the corruptions of the Roman Establishment to be beyond remedy. Bishop Fox, of Winchester, bent upon some good work, had thought of founding a monastery; he eventually decided to endow with its benefactions a college (Corpus

\* Blunt's *History of the Reformation*, p. 24.

Christi, Oxford).<sup>\*</sup> Those religious houses whose revenues might not be needed for his educational machinery, Wolsey would have converted into cathedrals, endowing new Bishoprics with their wealth. Thomas Cromwell enjoyed the entire confidence of his first chief. He had thus early and unintentionally been trained for the work which he was long afterwards so remorselessly to execute for his King, previous to his entering public life as a member for Taunton. Other influences, working in the same direction as the forces already mentioned, moved Cromwell, as they influenced most politicians of his period.

Some forty years after Martin Luther saw the light first in a miner's cottage, had been born at Baden in Switzerland the man who was to give a name in politics to those principles which one feature of the English Reformation, the Royal Supremacy, was to reflect. German rationalism of the sixteenth century had its most typical representative in Thomas Erastus, who commenced as a theological student at Basel, then learned medicine during nine years in Italy, became Professor of that science in 1558 at Heidelberg, as well as Physician to the Elector Palatine, and who, as professor of medicine at Basel, died in 1580. The earliest controversies of Erastus were with Paracelsus and the Thaumaturgists. He next entered into argument with the Heidelberg Calvinists; in theology he was a follower of Zwingli; his correspondence with the Transylvanian Unitarians caused him for a time to be excommunicated. But the views that have made the name of Erastus famous for all ages, were expounded in his disputation on Church discipline with Beza, and were summed up into his contention that punishment being the special duty of the civil magistrate,

<sup>\*</sup> For the correspondence between Fox and Wolsey on these matters, and for other documents bearing on the point, see Strype's *Memorials of the Reformation*, Vol. I., and Knight's *Life of Colet*, pp. 13-14.

the grievous stigma of expulsion from religious Communion should not be inflicted by the Church alone. Cromwell may not have studied the original documents connected with these doctrines and discussions. In Wolsey's confidential employment he must have been familiar with the arguments themselves, and the general ground on which they rested.

As one born and bred among the lower classes, Thomas Cromwell also knew that the only form of religion which was a really spiritualizing power among the masses had ceased to be the orthodox teaching of the Church, and resided in the preachers, lay or clerical, of Wycliffe and of the Lollards. These evangelists may have been open to the criticisms of Lord Herbert of Cherbury; they may have served rather to show than to rectify errors, but the process of withdrawing the faith and affections of the masses from Roman Christianity was alike continuous and effectual. What these unlettered enthusiasts did with the masses against the Church was done for the more educated classes by the satirists with Erasmus at their head, unless indeed that place of honour should be shared with his contemporary, the author of *Epistola Obscurorum Virorum*, a knight of the German Empire and a soldier, Ulric von Hutton. Most of these forces of the time were reflected in the sermon of another "Oxford reformer" than Erasmus.

John Colet, dean of St. Paul's, in his discourse to the Convocation at Canterbury in December 1512, omitted from his picture of the Romish decadence no feature which could impress the public mind with a sense of the corruptions in high places. Dean Colet chose as his text the words in the Epistle to the Romans, warning Christians against conformity to the world. "The secular occupation wherein priests and bishops nowadays do busy themselves, becoming the servants rather of men than God; the consequent dishonour to the dignity of priesthood; the systematic simony practised in the

nomination of Bishops to Sees, and of clergy to benefices; the naughty lives of clerks of every degree; the arrogant pretensions of ecclesiastical courts, and their abuse to defend evil-doers against the punishment of crimes; the consequent embitterment of laymen against the clergy"—these are some of the points on which Colet dwelt, and in doing so at once interpreted and helped to organize the popular feeling against the religious Establishment as it existed.

The movement against some of these evils had begun—had even made substantial progress—some time before the accession of Henry VIII., or the appearance on the stage of Thomas Cromwell as the hammer of monkery. Benefit of clergy was the ancient custom which practically placed the State teachers of religion, as well as their families and dependents, above the moral and beyond the reach of the criminal law. Important modifications had more than once been made in the exercise of this right. Under Henry VI. the House of Commons, and with some little reluctance the House of Lords, had passed a Statute obliging criminous clerks to plead their privilege at arraignment or on conviction, and abolishing the power of the Bishops to interpose this privilege as a bar to any public trial at all. Under Henry VII., clergymen guilty of felony were so far subjected to the ordinary law as upon conviction to be liable to branding in their hands.

Soon after Henry VIII. had come to the Throne another step was taken towards assimilating the legal status of clerical evil-doers to that of lay. More than ten years before Thomas Cromwell took his seat for Taunton, the House of Commons declared that persons guilty of murder, highway robbery or sacrilege, should not be entitled to plead privilege of clergy. The Lords exempted the higher orders of Bishops, priests and deacons from the operation of the measure; they sent it back thus amended to the Commons. After some further

compromise, it became law (January 26, 1513). No question of doctrine was yet raised or was hinted at till many years later in the Commons or in the country. Confining themselves to the social, the legal, or the pecuniary aspects of religious reform, the M.Ps. in the Chapter House were fairly representative of their constituencies, and on the eve of the series of measures now beginning, might plausibly be alleged by Cromwell to have the general support of the constituencies.

If it were ever doubtful to which side national opinion would finally incline, the uncertainty was about to be removed by an historical act of clerical un-wisdom.

A merchant tailor of London, Richard Hunne, acting by legal advice, sued, under the *Præmunire* Statute, a priest who had demanded certain mortuary fees. Hunne was committed to the Tower, where he died. The Bishop of London, through his Chancellor Horsey, ordered Hunne's body, as that of one guilty of heresy, to be burned. In some way, not clearly explained, the clergy entirely misinterpreted the popular temper of the moment; they persuaded themselves that, by a bold stroke, might be recovered for their order what the State had lately taken away. Richard Kidderminster, Abbot of Winchcombe, famous for his eloquence in the pulpit, and a preacher before the King at Whitehall, was now engaged by his brethren to denounce, in a sermon at Paul's Cross, the legislation lately abolishing clerical immunities in the case of the grossest crimes. The result of this clerical appeal to the London citizens was a defence by Dr. Henry Standish of the recent proceedings of the Commons. Standish, a powerful and subtle reasoner, as well as a good speaker, Warden of one of the Franciscan orders, maintained that no Act for the benefit of the whole nation could be against the liberties of the Church. As for Abbot Kidderminster's alleged decretal justifying the exemption of law-

breaking clerks from secular jurisdiction, that was met by a circumstantially defended declaration that no decretals, unless legally accepted and ratified, were valid in England. Throughout the long and tedious discussions which followed, Standish held his position as champion of English liberties in State and Church. All the evidence that has come down to us shows him long to have studied national feeling, and to have had an historical grasp of his subject. The power, he argued, now claimed for the State, was only that which had been insisted upon by William the Conqueror, which Henry II. in his long struggle with the Church had never for a moment surrendered. It was in fact the right of the English Crown to be imperial within its own realm.

Such was the doctrine on which ultimately rested the Statutes of Provisors and Præmunire; many attempts had been made to impair these. Lords, Commons and King had with the approval of the people, successfully combined to resist all such attacks. Some years later than this, Sir Edward Coke entered the House of Commons as member for Aldeburgh; he became in succession, Solicitor General, Speaker, Attorney General, Chief Justice of the Common Pleas; some time after the date now reached, in a famous speech on the subject, he showed the Kings of England since Henry III. to have asserted their supremacy over all causes within their own dominions.\* The acts and pretensions of the Church Courts at this time were inconsistent not only with the higher power of the law, but with the liberty and comfort of many among the King's subjects in their daily lives. Not only did the ecclesiastical tribunals take cognizance of matrimonial causes; they claimed the right to investigate and control the private life of all classes. Delation was an organized terror to the most law-abiding and

\* See D'Ewe's *Journals of Parliament*, p. 459, quoted in Perry's *Church History*, Vol. II., p. 25.



the most innocent of men and women, who were placed at the mercy of unscrupulous informers, and upon the flimsiest evidence, or no evidence at all might be haled before some secret chamber of clerical inquisition, fined or imprisoned at the caprice of their persecutors. Churchmen admitted the necessity of reforms in these matters; had even themselves taken the work in hand. Before Henry VIII. was on the Throne, Archbishop Warham drew up certain amendments for this procedure; no result followed. On the first occasion of Warham's intervention (1515), Convocation contrived the whole matter should be shelved. When a few years later the same prelate again pressed his proposals, Wolsey, who now combined the Legatine authority of the Pope with that of an Archbishop, procured the dissolution of the Synod convened for the purpose of reform.

Before passing to the legislation in which the King found Cromwell so useful an instrument in the House of Commons, some idea may be given of the composition of that body during its sessions under Henry. The Tudor "Long Parliament" sat between the years 1529 and 1536. The other Houses of his reign, called in 1512 and 1542 respectively, occupied two years each with short sessions. Blackfriars Palace was then an important place of assemblage for public business. It was here that Catherine of Aragon had been arraigned and had proudly refused to plead. Blackfriars too, may have witnessed the ceremonial opening of some of these Parliaments, the visit of the King, and the address from the Chancellor. But that over, the Houses returned to their respective Westminster homes, the Commons to the Chapter House, the Lords to the Parliament Chamber, or to that distinguished by the words "Painted," or of "The Holy Cross." Among the Peers, even before the creation of Henry VIII.'s six new bishoprics—Oxford, Peterborough, Gloucester, Bristol,

\* Bishop Stubbs' *Lectures*, p. 269.

Chester, Westminster—the Spiritual Lords seem to have been in a precarious majority.\*

As for the House of Commons in its relation to purely English constituencies, the changes of personal composition effected under Henry VIII. were not as large as might have been expected. In the case of corporate towns, as the instance of Leicester shows, the power of election belonged exclusively to the corporations. Preston, Lancaster, Thetford, Orford, Berwick, and a few more towns, seem now for the first time to have been represented. By the enfranchisement of certain Welsh or Border towns and counties as well as of Calais in 1543, 32 members were added to the old number. The purely parliamentary feature in the popular Chamber at this time is the access of distinction and importance to the borough members. Hitherto, the Speaker has, as a rule, been chosen from the knights of the shire, who also furnished the House with the most active debaters or politicians of the time. But now, in succession to Sir Thomas Audley, the Speaker's Chair is occupied by Humfrey Wingfield, member for Yarmouth, Rich, and others of the same calibre. Two other borough members are alone prominent figures in the House which sat from 1529 to 1536. One of these represents Westbury, Mr. Temys, who, alone in the Chamber, dared to risk the displeasure of his King by proposing that his Majesty should be petitioned to give up the divorce with Catherine of Aragon. The other is the more famous member for Taunton, Thomas Cromwell himself. As private member, while as yet only a candidate for Court favour, Cromwell showed qualities which should be remembered to his credit, by resisting in his place in Parliament the motion for Wolsey's attainder. The general tone of the speeches heard in the Chapter House at this time was one of servile flattery to the King, whose nominees never failed to constitute a working

\* Stubbs' *Lectures*, pp. 269-270. [Also *Parly. Hist.*, I., p. 541.]

majority. One speaker, Rich, in words of elaborate and pedantic adulation, began by comparing the King to Solomon, Samson and others, and, lest this should not be enough, ended by protesting the only simile worthy of his Sovereign to be the great and glorious sun itself. Now that Wolsey had gone, and the Taunton member needed a new patron, in verbal sycophancy Thomas Cromwell nearly outdid Rich himself. In one of the earliest pleas for religious reform addressed to the Commons, the Taunton member, raised to the Peerage May 11th, 1536; made K.G. August, 1537, waxed almost pathetic over the grief caused the King by the tares growing up in his field amongst the corn. "The recriminations interchanged between men abusing each other as heretics or Papists, vexed the righteous soul of our most illustrious and Christian monarch." Still this most Christian prince would refuse to waver to the right or left, would guide and direct his steps and judgment by the pure word of God and by an evangelistical sincerity. Hence it was the Royal care that all pious ceremonies and customs may be separated from the wicked, their real uses taught and inculcated, and their abuses rectified. In this spirit and for so godly a purpose, the speaker explained the King had chosen a committee of prelates to examine into rites and ceremonies, and to define the duties and the province of the respective Courts, civil and ecclesiastical, of the realm. The step to which this speech of Cromwell formed the prelude, was the confiscation of the property of the Knights of St. John of Jerusalem,\* on the ground that they maintained the usurped power of the Church of Rome, slandered the King and his subjects. On the chief subject in hand, Cromwell's business was less to speak than to manage. Of parliamentary support, the King with good reason, felt sure.

There had been no flagrantly open violation of consti-

\* *Parly. Hist.*, I., pp. 542-3.

tutional usage; though Court influence had secured the exclusion of any obdurate critics of Henry's policy. But the 300 members, 74 for counties, the rest for cities and boroughs, of which that House consisted, may have fairly reflected the general feeling of the country, not perhaps on the actual issue of repudiating Rome, but on the social aspects of the Roman Church in England. It had not indeed yet become an ecclesiastical question. Henry's wisdom was shown in keeping that aspect of it in the background. Appealing to their patriotism and personal loyalty to the English Throne as against that of St. Peter, Henry needed not Cromwell's assurance that he would rally the Commons and the country round him. The gentry, the professional classes, especially or exclusively lawyers, and other citizens, constituted the great bulk of the Reformation House of Commons. Of doctrine, not a word had yet been said.

Even at a much later date under this King little was heard on the subject, for discussion of matters of faith and ceremony were generally reserved to the Parliaments of Edward VI. and Elizabeth. The alternatives submitted to the House were practically the authority of King or Pope. Which of the two was to be supreme in England? Long before Cromwell placed himself at Henry's service he knew the answer to this question not to be doubtful. Cromwell had enough acquaintance with English history, as had the members of Parliament whom it was his mission to manage, to know that the English people had never admitted any practical supremacy of the Pope over King; that William the Conqueror had refused to do homage to Gregory VII.; that John's submission to Innocent III. in 1213 had raised the country against the Throne; that the Commoners and the Peers had, in 1366, cancelled the deed of vassalage to the Papacy, refused the tribute which John had contracted to pay for his Crown, and that, in 1399, King and Parliament formally protested the freedom of

the Church of England at all times to have been such as to let it be in no earthly subjection, but immediately subject to God in all things touching the regality to the Crown, and to none other. Such were the principle and fact which, under Cromwell's leadership, the Lower House did, in effect, explicitly reassert when, in 1533, one of the ties binding England to Rome was broken when the Statute in Restraint of Appeals was passed. As for most of the other Reformation Statutes, the House of Commons, in its petitions drawn up by Cromwell for the Statutes, did little more than apply the doctrines inherent not less in the Constitutions of Clarendon under Henry II. than in the fourteenth-century Statutes, whose passing the Chapter House had witnessed, of Provisors and Præmunire.\* The monasteries did charitable and educational work in England. They were therefore popular. For the foreign controller of these beneficent agencies—the Pope himself—there was nothing of the personal attachment of pious English Catholics in the sixteenth century, such as might be found among their successors in the nineteenth.

As early as the year 1515 Henry must have taken his resolve to allow no superiority of the spiritual courts in England. Long, therefore, before his actual fall, Wolsey probably felt the terrors of Præmunire impending over him.† About ten years yet were to elapse before the divorce question became pressing, and by the spur of personal resentment animated the King against the Pope. As a preparation for the later proceedings, the material power of the Papacy had to be sapped before its spiritual authority was destroyed. Neither through Cromwell, nor any one else, did the King ask the Commons

\* Many earlier instances of the primitive independence of Rome possessed by the English Church might be given, *e.g.*, that in Wilfrid's case Northumbria ignored the Papal decision, and that Dunstan refused to absolve an offender when commanded to do so by the Pope. But for all this, see Wakeman's *Church of England History*. Note A.—The Papal Supremacy.

† Stubbs' *Lectures*, p. 253.

to disapprove Romish doctrine. The one Statute of incidentally doctrinal significance was that condemning pardoners and Papal agents to be treated as tramps and vagabonds.\* Such were the limits within which Cromwell was told to confine his efforts. Petitions, suggestions, speeches, under Cromwell's management, developed themselves daily, advising or asking the King to consider the propriety of doing those very things on which he was above all others bent. With the single exception, mentioned above, of the member who suggested a humble address to the King that he would abandon the divorce, nothing approaching to a protest against the anti-Roman Statutes was raised in the Lower House. Thus during the sessions of 1531 the Commons had by their speeches familiarized the clergy with the recognition of the King as the earthly head of the Church. Convocation under these influences did even more than that. The threat of *Præmunire* so alarmed the clerical Synod as to induce it to avert the Royal wrath by a payment of £118,840. Next, under the management of Cromwell, the House of Commons experienced the same sort of treatment as Convocation. That, however, proved a longer matter. Five years of negotiation passed before the people's House could be moved not to propitiate, like Convocation, the Sovereign with money, but with legislation which would supply him with the funds. The Statute of Uses did not actually become law until 1536; the Statute of Wills was delayed till 1540. For the moment the King may well have thought Convocation enough to have on his hands without risking with the Commons anything not most peremptorily urgent. After their money vote just mentioned, the clergy were, by Cromwell's management, induced to consent to a reform of a Canon Law, disqualifying them from legislating for the Church save with the King's special permission. Now began all that intricate manœuvring of Commons against Con-

\* This, as is explained later, was enacted January, 1531.

vocation, of Convocation against Commons, and of both against the Pope, which Bishop Stubbs has clearly related in his published *Lectures*.\* The jealousy felt by the Commons of the clerical courts was used by Cromwell as the main instrument to the King's ends.

Throughout the House of Commons legislation in the Parliament whose first year was 1529, the moulding hand and the guiding thought of Cromwell may be traced. Actually the first measure discussed by the House dealt with the probate of wills, and had as its object the curtailment of fees charged in the Bishops' Courts.† Henceforth it was enacted that when the property to be disposed of was less than 100 shillings administration should be free; that above 100 shillings, but under £40, there should be a charge of 3 shillings and 6 pence; and that in the case of all larger amounts the fee should be limited to 5 shillings. A mortuary has been defined as the best beast or chattel which a man possessed at his death, or, in case of that having been seized as a heriot by the lord of the manor, the next best. The second of the Reformation measures submitted by Cromwell to the Commons declared these mortuaries to be intolerable burdens to poor subjects, limited the amounts payable under this head, and, where the custom had not long prevailed, abolished the mortuary charge altogether. After this the House proceeded to deal with pluralities, and the farming of the stipends of Church benefices. All these things, though strictly against Church law, had been sanctioned under dispensations from Rome.

When, therefore, it abolished these licenses altogether, the House at Cromwell's instigation dealt the first blow at the Papal power in England. The clergy in Convocation protested against this curtailment of their revenues as an infringement of the privileges guaranteed them by Magna Charta. In the Lower House itself, the threatened caste found no cham-

\* Page 253 to 256 and onwards.

† By 21 Henry VIII., c. 5.

pion, but on the prospect of suppressing the smaller monasteries now notoriously contemplated, Bishop Fisher, in the House of Lords, spoke with animation and courage against pretentious and curious petitions from the Commons.\* This Bishop not obscurely charged the King with solicitude less for the good, than for the goods, of the Church. More, speaking of Henry to Cromwell, had warned him not to allow the King to perceive his own power; that perception of themselves was what the Commons now had gained. The outspoken prelate was constrained to change his tone, for King and Commons were acting together.

The passage of the several measures through the Upper House, where the spiritual Peers still had a majority, taxed Cromwell's patience, tact, and statecraft. Nor was it till after the King had interviewed the leading non-contents of the Lords that the measure to which they principally objected—the Pluralities Bill—went through. Still the Lower House itself shrunk from a final rupture with Rome, and cast about for means by which might be made practicable the Pope's retirement from his position on the subject of the divorce.

In the next session—that of 1530—the Commons addressed a remonstrance to the Pope. If the answer returned to this had been conciliatory, and Rome had ceased to forbid the matrimonial policy which it could not prevent, it may perhaps be questionable whether the entire series of the Reformation measures would have passed into law. The Pope's censure on the Commons for their threatening language, and their impeachment of his proceedings, completed the alliance between the much-marrying monarch and the Popular Assembly. Hereafter the King could fearlessly do what he chose. The immediate rejoinder of the Chapter House to the Vatican was

\* For these details of Reformation Statutes, and the opinions expressed concerning them, see Bailey's *Life of Fisher*, Hall's *Chronicle*, p. 776 quoted in Perry's *Church History*, p. 70 and following.



a declaration by the Commons of the illegality of introducing Bulls from Rome, as well as an Act, passed a year later (January, 1531) and already briefly referred to, denouncing all sellers of the Pope's pardons or indulgences as vagrants, to be drawn on two successive days to the next market town, tied naked to the cart's tail, and whipped; if the offence were repeated, there was to be added to this punishment the pillory and the loss of ears.

In this temper of the House of Commons it was that the King found himself able to mulct Convocation in the sum already mentioned, which in modern money would be not less than £1,000,000 sterling. Even the King's gracious acceptance of this was declared by Cromwell to be conditional on the acknowledgment of his supreme headship of the Church of England. While the words of this surrender were being discussed in Convocation, the qualification, "so far as is permitted by the law of Christ," was suggested as an amendment. The clause disappeared from the measure while it was going forward, so that the clerical limitation of the acceptance of Henry's supremacy is not in the Statute Book inscribed in the terms in which the clergy themselves accepted it.\*

In the House which met during the spring of 1532, these victories of Cromwell for the King were vigorously prosecuted. Prelates, spiritual Ordinaries, and the clergy, without the King's knowledge, or without the consent of his lay subjects, were charged with coercing the people by laws, grievous in themselves, and from being written in a foreign tongue not generally understood. The exact grievances now alleged were the arbitrary suspension or excommunication by the clergy of Englishmen, the exaction by parsons, vicars, and parish priests of money for administering the Sacraments of the Church; the increasing number of absentee rectors or

\* For these and other like details the writer is indebted to *Statutes of the Reformation Parliament*, by Professor Sheldon Amos, which are quoted at length in Perry's *Church History*, second period.

vicars, and the incapacity for their work of the curates doing the parish duty of the beneficed clergy. The count was further swelled by a complaint of the excessive number of holidays disgraced by many "abominable vices by idle and wanton sports." Further, the clergy were accused of putting subtle questions to unlearned laymen as snares by which to trap them into heresy, with a view of pocketing the fine to be levied upon the involuntary heretic. The King, therefore, was petitioned by his Commons to provide such remedies as may keep in perpetual unity his subjects, spiritual and temporal. In other words, this was the fresh addition to the ecclesiastical prerogative of the Sovereign considered desirable by Henry, and pronounced opportune or practicable by Cromwell. All, or at least each of the most important of these declarations of Royal aggrandisement, were accepted by Convocation scarcely less passively than by the Commons. The one compensation granted to the clergy was their relief from some among the heavier money impositions of the Roman Church. Under the name of Annates, Anglican Bishops, officials of every degree, as well as parochial clergy, were compelled to pay to Rome the first year's income in advance, and the fees for the Papal Bulls incidental to each step of clerical promotion. The Pope, however, was to be allowed five per cent. on the clear income of the See. The Commons, however, professed to hope his Holiness would have the grace to forego this right; wherefore the King was empowered to withhold his consent to the Act till Easter, 1533. Meanwhile, if the Pope withheld his consent, and would not issue the Bulls for the consecration of the Bishops whom the King might nominate, then they would be installed in their Sees independently of Rome; nor should any mode of Papal inhibition disqualify such prelates or their nominees for performing all the functions of their office. The session of 1533 was also that which witnessed the enactment of the Statute for the Restraint of Appeals. The principle

involved in, and to which practical effect was given by, this was the independence of England and its Imperial Crown of any foreign prince, temporal or spiritual; the nation's own courts could give all justice to every kind of folk, as the earlier English Kings had insisted. Yet, notwithstanding this, causes of matrimony and others had been made the subjects of appeal to Rome to the great inconvenience of all concerned. For the future, therefore, all cases were to be settled in the King's Courts in England. Imprisonment, fine, and ransom at the King's will were the punishments for any breach of this law, which passed through all its stages without any opposition.

While this Bill was becoming law in the session of 1533, events were happening likely as it might be thought to render much further legislation superfluous. For Cranmer, as the King's Archbishop, had pronounced the divorce so long demurred to by the Pope; Anne Boleyn was taking her place as Queen, and was about to bear to Henry the future Queen Elizabeth. It still remained for the House of Commons to embody in a parliamentary Act the undertaking given two years earlier by Convocation to promulgate no new canons without the King's license, and to revise all canons already in existence. For the thorough investigation of Church law was appointed a Committee of thirty-two members of both Houses of Parliament to annul or confirm canons as they might see fit. This of course meant as Henry himself might decide.

Several supplementary Statutes seemed desirable to define the procedure in appeal cases in England. Such appeals were to be from the Court of the Archbishop to the King in Chancery represented by his own delegates. Additional safeguards were taken against the Pope's interference in any of the King's appointments. The term of grace allowed the Vatican voluntarily to surrender the Annates had now ex-

pired, without any sign being made by Rome. It remained therefore in the session of 1534 for full effect forthwith to be given to the Annates Act. At the same time were prescribed the details of the procedure by which every step in the appointment of Bishops was to be made on the King's initiative alone. Clerical dispensations were not to be abolished; they might still be granted by the Northern and Southern Primates in the same matters as they had been granted by the Pope. All fees above £4 payable in these affairs were to be paid into the King's Chancery. That even thus Henry contemplated no doctrinal rupture with Rome is shown by the declaration annexed to these proceedings—"that the King and Parliament did not intend to decline or vary from the congregation of Christ's Church in any of the Articles of the Catholic Faith of Christendom."

In appearance, not less than in character and career, the contrast between the most active member of these Reformation Houses of Commons, and the most illustrious Speaker who presided over them is at every point dramatically complete. Of the House of Commons Speakers under Henry VIII., it has been already said that for the first time borough members were considered eligible for that office. If the Chairman of both Houses were yet often Court nominees, Speakers Audley, Moyle, Hare, Englefield, Sheffield, and Nevill were men of dignity and incorrupt, also combining, in the proportions that please English taste, independence of spirit with simplicity of habit and life. But illustrious beyond any of these is the Speaker who presided over the House on the eve of the Reformation measures.

The Chair of the House which met in 1523, if not also of that which met in 1529, was occupied by the man whose face and figure live for posterity in the painting of Holbein as clearly as they existed in the flesh for his contemporaries. A doubt exists as to the constituency, which, in 1523, sent

Thomas More to the Chapter House. The features of his Parliamentary course are clear of any such uncertainty. For Englishmen the renaissance can have no more engaging figure than this representative of most of what is typically representative of the new learning which in the sixteenth century was to form the foundation of all liberal culture, during ages yet to come. More's personal fascination is attested in the letters of his contemporaries. The man himself, the dignified bearing, the delicately cut mouth, nose and lips, the strong nose, the commanding forehead, the temper in which humour and earnestness met together, the discernment of nature's religious symbolism of which Wordsworth was to be the poet, the kindness to dumb animals, the love of children, the instinctive championship of the suffering and the defenceless, all these things are as well known to More's countrymen long after him as were More's own kindness and charity known to the poor of Chelsea. Here, perhaps, nearly on the spot where to-day Beaufort Street runs to the Embankment, lived with the wife whose mind he had made, and whom he had chosen, less because she was the first of the family whom he had loved, than because he did not feel it right to propose to a younger daughter while an elder daughter was unbetrothed.\*

As in the case of an earlier literary member of the House of Commons, Geoffrey Chaucer, Sir Thomas More's parliamentary career had been preceded by many years of diplomatic experience abroad, and official experience at home. During the earlier years of the sixteenth century, More was an active agent in the diplomatic movement which brought

\* This lady, *uxoreula mori* as her husband's classical friends called her, was the eldest Miss Colt of New Hall, Essex; eighth in descent from this marriage was Charles Waterton, the naturalist, whose tastes and learning curiously perpetuated T. More's love of dumb animals and dislike of the field sports, against which whole chapters in *Utopia* are a protest. For these, and other facts in More's life, I am indebted to the monograph of Mr. A. W. Hutton, and his circumstantial redaction of original authorities on the subject combined therein.

the England of Henry VIII. into political line with the Continent. To his family relations in the City he owed his mission to the Netherlands for a Commercial Treaty between 1514 and 1516. In the House of 1523, in a speech whose fresh flavour of unhackneyed scholarship is as pleasantly appreciable to-day as when it was first uttered, More, when nominated to the Speakership, according to rule deprecates his promotion; he compares himself to Phormio and his royal master to Haumbal. Wolsey, whose literary sense was as keen as his patronage was munificent, intimates the King's approval of More to the House in a message panegyricizing the wit, the discretion and the general fitness of the new Chairman. Of other M.Ps. the Cardinal spoke less favourably. He roundly abused the borough M.Ps. for their alehouse gossip. A little later he turned with his tongue against More also. The great Cardinal-Chancellor had come down to the House with a demand for money, that the King might give effect to his ambitions and aggressive military policy abroad. Thomas Cromwell, already M.P. for Taunton, as it would seem, but not yet in the King's service, speaks as an independent member and evidently with the Speaker's approval against war. Old associations exempt Cromwell from any overt attack in words by his old master, but More's sturdy independence of Court and King draws forth the exclamation from the Royal agent: "Would God you had been at Rome—when I made you Speaker of the House of Commons." This was the incident to which More alluded to a friend when he spoke of himself as little more than a beardless boy in the House of Commons resisting greybeards and Kings themselves.

The House of Commons had not yet been royally dragooned into its later stages of passive compliance with the King's wish; it dared to refuse the money demand of the Court. Wolsey more than once tries to reopen the

question of the sum to be granted. The Speaker, Sir Thomas More, showing himself a worthy forerunner of Lenthall, replies that the order of the House gives him no ears to listen to the subject. Even to a King, whose dominant trait was the grotesque and inhuman egotism, as Bishop Stubbs has happily phrased it, one might have thought that Thomas More's winning graces, rare accomplishments, irresistible loveliness as experienced by his contemporaries, simple, unaffected piety, and retiring dedication of his life to all good works, would have permanently endeared the only Speaker of the House of Commons who has as yet been canonized.

But as his early words to Cromwell show, More understood Henry VIII. all too well. When he had seen Wolsey destroyed, he had no faint presentiment of his own fate. This accounts for the gentle melancholy which, in later years, clouded the life, thoughts and conversation with a haunting presentiment of doom. This, too, explained the wish during a walk by the Thames shore at Chelsea, uttered to his son-in-law Roper, that his life's work might that moment be well done, and he himself, sinking in the waters of the river, might float into a happy eternity. "And you, sir," rejoined Roper, "are the man in whose debt for work abroad with Francis I., the Duke of Norfolk says all England will ever be."

It was not enough for the King that More, like Fisher, accepted the royal supremacy, and the succession to the Throne as prescribed by the King and defined by the House of Commons. The Verbal Treasons Act of 1534, for the first time in English history punished freedom of thought, by making men responsible not only for what they did, but what they said, or were represented as saying in private life or of secretly thinking.\*

\* For a minute explanation of this Act and its operation, and how, more than the Act of Supremacy, it affected More, see Wakeman's *History of the Church of England*, p. 237.

The most specific object for which Henry took Cromwell into his service, was, in his capacity of Vicar General, to root out the religious houses from English soil. By 1536 all was ready for this particular work. The promulgation of the Papal Bull excommunicating Henry, was the signal for petitions from the Commons that the last traces of Papal authority should be repudiated. During 1535 and 1536, took place the Visitation of the Monasteries under Cromwell, and the preparation of a report presented to Parliament as a preliminary to the work of dissolution. Not without debate perhaps, but without serious opposition were passed the Statutes confiscating for the King's purse, the revenues of the smaller houses first, and of the larger afterwards. The art of petitioning Parliament from outside was little practised in these days, or some of the members would have entered the Chapter House labouring beneath the weight of the protests of their constituents. The anti-Reformation North of England riots known as the Pilgrimage of Grace, marked the only organized protest against these measures.

A great House of Commons leader, Benjamin Disraeli, in some of his political novels, especially in *Sibyl*, where he traces the rise of the Marney family, but more expressly in certain private letters and conversations, implicitly cited the dissolution of the monasteries as an instance of what he called the imperfect vicariate of the House of Commons. The country was evidently not ripe for so sweepingly destructive a policy, or the Yorkshire protests would not have taken place. The mere fact that the sentiment animating these protests found no utterance in the Chapter House, of course shows the Reformation House of Commons not exhaustively to have reflected the national feeling. Henry's enrichment of his new nobility out of the spoils explains perhaps the silent acquiescence of the Upper House. But in the Lower there must have been cool and clear heads



knowing what was wanted to be not destruction, but amendment. These men raised no voice to prevent what was going on. In a less degree than the Tudor nobles, some of these members of the popular House were benefited by a participation in the distributed wealth. But if the confiscations of 1536 in a small degree enriched and so strengthened the class of country gentry that is the backbone of the House of Commons, the money did not bribe them into silence. The only inference is that these men were honestly convinced that of two evils—the maintenance of the religious houses or their destruction—the latter was, upon the whole, the less. They shared in fact the opinion of Fox—the founder of Corpus Christi College, Oxford, who, as has been said above, at first minded to endow a monastery or convent, finally decided to establish a college, on the ground of the hopeless corruptions of the monastic system. Presently, in a way that might not have been foreseen, the abolition of the monastic rule in England was to be associated with, and indeed directly the cause of, a memorable change in the House of Commons. The Order to which the building had belonged had been reformed out of existence. A fresh use therefore had to be found for the Chapel of St. Stephen. The Chapter House had many inconveniences from which the vacant structure was free. Neither Cromwell nor the King was to see the Commoners lodged in the building which these two men had prepared for them; but on the day of Henry VIII.'s death, the Commons of England met for the last time in the Chapter House. The next reign saw them meeting in St. Stephen's Chapel. That place was to become a synonym for the popular branch of the legislature. Here the people's representatives were continuously to remain for exactly two hundred and eighty-seven years until they were burned out by the fire of 1834.

## CHAPTER VII.

THE HOUSE OF COMMONS UNDER EDWARD VI. AND  
QUEEN MARY.

HENRY VIII.—Suppression of the ecclesiastical body of St. Stephen's makes the building itself available for secular purposes—Edward VI. gives the disused chapel of St. Stephen's to the Commons—Traces of the original beauty of this building still visible—Its latest restoration—Alterations necessary to make St. Stephen's Chapel available for the Commons—Changes in St. Stephen's necessitated by William Pitt's Irish Union Act and the admission of the Irish M.P's. early in the century—Changes noticeable in the personal appearance of the M.Ps. when they were first established at St. Stephen's—Signs of gradual evolution of modern costume now visible—General review of the costume of M.Ps. from the Chapter House period onwards—Great improvement in dress and all comforts of life, especially during Tudor period—Increase in wealth of M.Ps. on their establishment at St. Stephen's—Protestantism and national prosperity—Thomas Cromwell, M.P.; result of his work rather to increase importance of House of Commons than as he had intended to aggrandize Henry VIII.—Increasingly varied activity and interests of the House of Commons after the Reformation during its later years in the Chapter House—Importance to House of Commons of Edward VI. reign—Commons not only now settled in St. Stephen's Chapel, to remain there till the fire of 1834, but the Commons' Journals henceforward carefully kept, constituting a full record of foreign and domestic events—In St. Stephen's, too, House of Commons' independence revived—Edward VI. and the House of Commons—Edward VI. as jealous as Henry VIII. of parliamentary infringements of his prerogative—Tudor expedients for securing a Court majority in the House—House of Commons and its own privileges—Protector Somerset's relations with the House of Commons contrasted with those of John of Gaunt—Somerset's policy of ingratiating himself with Commons, really prejudicial to Reformation, and tended to provoke reaction against Protestantism—Importance of Edward VI.—House of Commons 1552-4—Edward VI. and Protector Somerset's relations with House of Commons—The House of Commons under Queen Mary—National religious feeling on Mary's accession; undoubted reaction from Protestantism to Catholicism; but Protestantism still a national force; this Protestantism unrepresented in Mary's House of Commons—Mary's suitors; the House of Commons and the Queen's marriage—House of Commons repeals Reformation Statutes and re-establishes Catholicism—House of Commons and Cardinal Pole—Speaker Higham; his character; general work—Character of House of Commons under Mary.

HENRY VIII. had suppressed the twelve canons, the twelve minor canons, and the Dean of St. Stephen's. All eccle-

siastical use for the place had therefore ceased. It might have been obtained by any courtier in favour for the mere asking. On the day of the death of Henry VIII., at the very moment he passed away, the Commons were holding their final session in the Chapter House. Henry's successor gave them the disused Chapel of St. Stephen's. Some idea may be formed of the original beauty of the old building from the still existing crypt of Edward I., which survived the fire of 1834, and which in our days was restored by Stone. The changes required to fit the building for the occupation of the Commons were few. Panels were placed at some distance from the old walls. But the arrangement of the seats opposite each other was not touched, and was, indeed, destined to be of appreciable influence in organizing political parties, which now naturally placed themselves on the right and left of the Speaker respectively. The panelling that was the only, or the chief, fresh feature in the Chapel on its being handed over to the Commons, remained till the Irish Union Act under Pitt at the beginning of the century required more space for the members. These exigencies of space involved the removal not only of the panels, but of other decorations. Images of angels and saints, as well as frescos which Puritanism had spared, but the carrying out further into the floor of the seats themselves. At the date now reached, when first occupied by the Commons, St. Stephen's Chapel, perhaps by Puritan hands, had parted with most, if not everything, ecclesiastically distinctive in its character, and had been transformed into a Chamber equally capacious in extent and commonplace in appearance.

Before seeing the Commons at work in their new home, certain changes in the personal exterior of the Commoners may be noticed. While the House has been gradually becoming a popular and powerful institution, the costume of its members has reflected the changes of the times, and has appreciably advanced by more than one stage towards the

fashion of modern times. Out of the shapeless covering worn by M.Ps. of the Plantagenet period has been evolved the doublet, hose, and cape which prints illustrative of the period \* show definitely to have come into vogue under the Tudors. Improvements in cut and fit, both of nether and upper garments, were still periodically made, the more definitely and successfully as social intercourse with France increased. When the Commons first met in the Chapter House their garments might have suggested a reminiscence of the Roman toga ; when they first met at St. Stephen's, they were clothed in the style out of which skill and practice in the art of tailoring were to evolve the toilets of the nineteenth-century country gentleman. The fittings of the House were still of a primitive kind. During the Tudor period the standard of domestic comfort was greatly and generally raised ; luxury, even refinement, showed themselves in the furniture and decorations of manor-houses or of city merchants' homes ; there was a withdrawing room, whither the gentlemen might follow the ladies after meals, with decorations for the wall and carpets for the feet. These last had not yet become universal. Rushes still strewed the floor ; as in the Chapter House, so in St. Stephen's Chapel. Hence, as is generally supposed, the first outbreak in London of the "Sweating Sickness" in 1485, and the later attacks in 1506 and 1517. But if the accommodation of the Chamber were poor and rude, the share in the growing prosperity of the Kingdom enjoyed by the members for boroughs, not less than towns, greatly increased their social consequence, and as a result their political power. The spoils of the monasteries, it should also be remembered, had enriched not only the great families, but the country gentlemen and the yeoman class as well. Politically, though on a much smaller scale, the untitled landowners had benefited by the movement. Smaller squires and yeomen who stood well with the Court author-

\* See Martin's *English Civilian Costumes*.

ities had been allowed to share in the plunder. The wealth of the House of Commons, when its sittings at St. Stephen's began, far exceeded the apparent possibilities of the Chapter House period. The same movement which established English Protestantism confirmed the power of the popular Chamber as the governing body of the realm. Thomas Cromwell and other of Henry's instruments in doing their master's work had accomplished also more than either he or they reckoned with. Every episode in the rupture with Rome had been planned by the King, as it had been brought about by his executive agents. But as the popular historian of England, T. H. Green, makes clear, the net result of all that had been done was permanently not so much to aggrandise the monarch as Cromwell had wished, but to make for the first time in its history the House of Commons conscious of its own power. The period marked by the religious rupture with Rome, and by the establishment of the joint supremacy of King and Parliament, practically of the House of Commons over the English Church, also witnessed a sympathetic reflection of the varied interests and activities of national life, in the proceedings of the popular Chamber, more minute and full, than had ever been discernible before. The maintenance of the English Navy; current erroneous opinion of Christian Religion; the position, the privileges, and grievances of strangers and foreigners residing in England; the paving of Aldgate, High Holborn, Chancery Lane, Gray's Inn Lane, Shoe Lane, Fetter Lane, etc.; the rebuilding of decayed houses in sundry towns and places of the realm; the prevention of felonious fishing in the King's Manor of Hampton Court, in the river and port of Exeter, and the amending of these latter places; the strengthening and continuance of Statutes for the punishment of beggars and vagabonds; the wrongful taking of hawks' eggs and birds out of the nests; the improvement of churches and churchyards; the securing of

a better breed of horses; the manufacture of friezes and of cottons in Wales; the draining and partition of Wapping Marsh; the quality of salt fish on sale at Billingsgate; the complaints of Welsh burgesses and shire knights of wages insufficient for their parliamentary attendance; the rate of usury; the manufacture of pins; the cost of Scarborough Pier. These items are only a few collected from the subjects debated by the House of Commons during the later years of Henry VIII.

The settlement of the Commons in St. Stephen's Chapel under Edward VI. coincided with great improvements in keeping the Journals of the Assembly. Henceforward these records constitute a continuous, sometimes a full, history of the national occupations and progress abroad and at home. At the same time the Tudor period of a popular legislature submissively overawed and coerced by the Crown was coming to a close.

Once in St. Stephen's Chapel the Commons showed decisive signs of the reviving independence that was to be thereafter the keynote of their conduct in their new abode. Only once, under Henry VIII., in 1532, had the House rejected a Bill recommended to it by the Crown. During the earliest sittings at St. Stephen's, in the session of 1547, the Commons addressed themselves to the curtailment of the Royal Prerogative, when they discussed the abrogation of those Statutes that empowered repeal by the King, on his Accession, of any Statutes passed during his minority. It was a private member unconnected with the Court Party or its growing opponents who, in the November of the year now mentioned, expressed the general feeling of the House, characterized this right of repeal as a stretch of absolute power, which would soon render Parliament useless to this nation. As a fact, however, no Prince of the Tudor or any other dynasty seems even to have claimed, much less to have exercised, any power of such retro-

spective annulment. Throughout the proceedings, constituting Edward VI.'s uncle, the Duke of Somerset, the guardian of the young King and the realm's protector, Edward VI. withheld from the House of Commons none of the information or confidences on the subject which he had extended to the Lords. Nor was the influence of Somerset and of those about him unfavourable to the Commons as the champions of popular liberties; with the approval, if not at the instance, of the Court, the Commons effaced from the Statute Book several of the severe and unconstitutional laws of Henry VIII., especially those which created new treasons. In 1552, indeed, after the fall of Somerset, some of these laws were re-enacted. Even then, however, the Commons did not entirely surrender their newly-reawakened independence; they threw out the Bill, as originally framed by the King's Ministers; they practically recognized the reasonableness of the complaint made by persons accused of treason by providing that, in future, no one should be indicted or attainted for treason except on the testimony of two lawful witnesses, personally confronting the accused at his trial.

During the reign of Edward VI., and of his successor Mary, Court influence was vainly exercised to induce the Commons to pass Bills they did not approve when sent down from the Upper House; under Edward VI. and thereafter, in a steadily increasing degree, Crown and country became aware that the decisive voice in all legislation belonged, not as formerly to the King's nobles, but to the people's representatives. On the other hand, the Sovereign was still quick to resent any infringements of his prerogative by the Lower House. Gradually places of no importance had been ceasing to return members to Parliament. Edward VI. reversed that practice. In his policy of neutralizing by those of his own nominees the votes in the House of Commons of the anti-Court members, Edward knew no more than his father had known of con-

stitutional scruples. Thus he enfranchised 22 boroughs of the sort known as rotten, perfectly unimportant places, restored 22 boroughs, chiefly in remote parts of Cornwall. For these seats the Sheriffs were ordered to return only such as would do the King's pleasure. Mary continued this policy by 14 additions, in the Crown interest, to the Commons. Elizabeth added no fewer than 62 members, whose votes she could control. The most noticeable interference by Edward VI. in the composition of the House of Commons occurred in 1552-3, when he made no secret of his intention to have a Parliament consisting of "men endowed with good and great abilities and well affected to the Crown." The Sheriffs were therefore instructed to choose as burgesses and knights men of gravity and knowledge of their own country and towns, fit by their understanding and qualities to be of such great counsel—in other words, to be the loyal instruments of the King's will. The Assembly so formed met in the March of 1553; headed by their Speaker, James Dyer, the Commons, with the Lords, attended in the King's Chapel to hear the sermon by Dr. Ridley, Bishop of London, and in the persons of their most important members to receive the Communion together with His Majesty. The party opposed to the Court in this famous Parliament had its supporters in the Upper as well as the Lower House. A proposal arbitrarily to increase responsibilities of the King's local treasurers, protested against by Russell and Wentworth among the Peers, was absolutely rejected by the Commons. The House of 1553 continued the reforming work of its predecessors by a series of fresh enactments hostile to Romanizing rites and doctrines in the English Church, as well as by more than once reaffirming the right of all clergy to marry. Much of the general business done by this Assembly seems to show a consciousness on the part of its members or of the directors of the Royal policy, that Protector Somerset's violent rooting out of time-honoured customs and



ornaments in a national Church, had been in advance of popular opinion. In London, as in great towns generally, the Reformed Faith and Worship were pretty firmly established and already appreciated. Rural England was, however, unripe for, and bitterly hostile to, the change; the various Protestant service-books in the vulgar tongue prescribed under Somerset's influence by the House of Commons, provoked riots in Exeter, as elsewhere in the West of England, and a little later in the Eastern Counties. The old priesthood, the Latin prayers and the Mass, were the cries from many or most of the villages; the demand was not echoed in any Edwardian House of Commons. The demand for the restoration of auricular confession, which the Reformers without actually forbidding strongly discouraged, was almost universal in country districts, and especially in the West of England, where anti-Reformation risings were only suppressed by armed force. Obviously the Government needed to propitiate by material agencies a spiritually disaffected people. Nearly every page of the new House of Commons Journals contains references to the discussion of measures brought in for the relief of the poor, so under Henry VIII. the upper classes had been won over to the new regime by participation in the plunder of the monasteries. Other aspects of their work may be noticed in the proceedings of the House of Commons at this period; the ecclesiastical supremacy of the Crown established by Henry VIII. was strengthened by a measure dispensing with the formality of episcopal election by the College of Bishops, providing that henceforth, in form as well as in fact, Prelates should be appointed by the Crown. A measure suppressing one Northumbrian bishopric, establishing in its place two others for the better preaching of God's Holy Word, in wild and barbarous parts, was promoted by the Northern members, was then adopted by the Government; it thus foreshadows the parliamentary and political influence which the

counties and towns beyond the Humber up to that time regarded as unimportant were afterwards to exercise. While under Edward VI. the House of Commons does not seem practically to have resented the introduction into its number of the King's nominees, it showed more persistence than dignity in the motions submitted to the Speaker and in the debates arising thereon concerning the privilege of its members and of their servants. Not only freedom from arrest, and from any legal process, but social deference shown with a punctiliousness bordering on civility, both to themselves and their dependents, was the common parliamentary demand ; it probably explains much of the unpopularity of the Chamber and of the impunity with which the later Tudors were able to control its composition as well as its decrees. Protector Somerset's relations with representative Chambers during the latter half of the sixteenth century were exactly the opposite of those which existed between the House of Commons and John of Gaunt in the fourteenth century. As has been shown in earlier chapters, Gaunt knew all his family and territorial influence, all his own unscrupulous ability to flout the popular Chamber and to depreciate it in the English as well as in the European view. When Edward Seymour took his place as Lord Protector of the realm, statesmen as imperious and as hostile to the representative principle as Gaunt himself, even the Tudor princes themselves, had discovered the popular Chamber to be the indispensable instrument of kingly rule. Henry VIII. and his ministers, now a Wolsey, now a Cromwell, by fair means or foul, by railing at or by cajoling it, alternately by corrupting and intimidating it, sought to make, if they did not actually succeed in making, the popular Chamber the registrar of the King's decree, as well as collector of the King's taxes. The time had gone by when any sane statesman, however servile to the Court, would have advised his master to disregard or trifle with the House. Edward VI., it

has been seen, when proclaiming his uncle as his guardian, made a point of showing the same respect to the elective as the hereditary Chamber. The Duke of Somerset was thus the first Minister of the Crown who, in the interests of the monarchy, ingratiated himself with the democracy, and the fixed point of whose policy was to identify the religious ideas of the Crown with the ecclesiastical prejudices of the Commons. Somerset's eagerness to stand well with those whom the constituencies sent to St. Stephen's urged him into misunderstanding the feelings of the constituencies themselves. Whatever could tend to imperil the Reformation settlement and to provoke a fatal reaction against English Protestantism was devised and done by the Lord Protector. Under Edward VI., as under his father, the representative imperfection of the House of Commons is shown by the fact that at Westminster no dissentient voice protested against that ecclesiastical policy of the Government, against which was ever ranged national enthusiasm, questions of Church, faith and ritual. In 1553, after some half-a-century's interval, the Commons, whose Protestant vehemence had embittered the severance of the English from the Roman Church, found themselves, on Queen Mary's accession, following their Speaker into Westminster Abbey to join the other estates of the realm in a solemn act of worship according to the rites of the proscribed religion. The Queen was accompanied by her Bishops and Lords in their scarlet robes. The Commons, in Court attire, followed at a respectful interval. In Westminster Abbey, Mass of the Holy Ghost was once more sung according to the ancient custom. Afterwards the Lord Chancellor and the Speaker, following the Queen from the Cathedral, led the members of the two Chambers to the House of Lords. The Peers on the one hand, the shire knights and burgesses on the other, having together heard the Queen's Speech, then separated to their respective places of assemblage for the business of the new

session. The first questions that came before the House of Commons related to their own domestic economy, and have since then often reappeared. A clergyman, Dr. Nowell, a Prebendary of Westminster, had been returned for Loo, in Cornwall. The body to which he belonged being already represented in Convocation, Nowell was declared disqualified for the House of Commons and was promptly expelled. The same sitting was marked by a conflict between the two Chambers. The Commons had sent up to the Peers a measure relating to tonnage and poundage; the Peers had returned it for certain alterations. The Lower House now took its stand upon the principle that the Upper, though it might reject, could not change a money Bill. The popular House now passed a wholesale condemnation upon the Protestant legislation of the Queen's father and brother. One after another, legal M.Ps. evidently on their promotion, and candidates for office under the new Sovereign, denounced the cruel and bloody laws of the preceding reigns as worse than those of Draco and more intolerable than any of Dionysius. From the first, under Mary, the Protestant party in the House of Commons had organized itself boldly and was capably led. Under Edward VI. the House had, as we have seen more than once, generally reformed the law against treason; under Mary that law was subject to special amendments in the Catholic interest. Evidently throughout this period the collective feeling of the House was, less that the Reformation settlement should be maintained, than that religious questions should not be permitted to bar the way to secular business. House of Commons debaters are shown by the extant journals studiously to have avoided the introduction of religious issues into secular subjects, in which those issues were vitally important. Thus, in the October of 1554, the House at length debated and ended, of course, by strongly

affirming the legitimacy of the marriage with Catherine of Aragon, whose child the new Queen was.

The chief strength of Protestantism lay in East Anglia. Yet here it was that Mary received the support which easily established her claim against those pretenders, among whom the most familiar, as well as pathetic figure, is that of Lady Jane Grey. Mary's adherence to the Roman discipline had undoubtedly predisposed the House of Commons against her; it had deprived her of a cordial welcome from any part of her Kingdom on her accession. The truth is that the Princess offered the only chance of a stable and peaceful government to the country. In the event of Mary's being passed over in favour of her Protestant sister Elizabeth, it was known that Philip of Spain would have sent an army into England to secure the coronation of the Catholic Princess. In France was the only hope of Elizabeth's partizans, some of whom actually invited French troops to land in the Isle of Wight, but the general feeling of the country revolted against the idea of an English Sovereign, whose throne rested on a foreign sword. The general temper of the nation, as of the House of Commons, was tepidly Protestant except in those Eastern Counties still dominated by enthusiasm of the reformation. Several of these Protestant leaders had ceased in the House of Commons; all of them were wise enough to discountenance tactics of Protestant precipitancy; they believed, how rightly the event proved, that the position of the reformed faith, under Henry VIII.'s younger daughter as its patroness, would be stronger a few years hence than now. Nor as a fact, could the Protestant House of Commons under Elizabeth have completed so successfully the work of the Reformation, but for the Romanist reaction under Mary. The real disposition of the Commons being at least as far removed from Protestant fervour on the one hand as from Catholic zeal on

the other, and the parliamentary acquiescence in the *status quo*, being upon the whole so ready, surprise may well be felt at the rapidity with which, under a Roman Catholic Queen, the work of two Protestant Kings was undone. Nor perhaps than this fact, do the records of the House of Commons incidentally furnish a stronger proof of the priority over itself in the national affection, awarded to a regular and constitutional policy which secures a strong government for the people. Yet even thus it is startling to find that the Bill for repeal of Henry's and Edward's Protestant laws sent down by the Lords to the Commons, was affirmatively disposed of by the latter assembly in less than a week. In other words, the nine Protestant Acts which had to be dealt with were cancelled at the rate of rather more than one per day.\* Of all the Eastern Counties M.Ps. whom the House then contained, none organized any real protest against the Romanist majority. If at this time the popular House fairly mirrored the feeling of the country, it failed to give any hint that the Protestant minority was in some half a century to acquire the undoubted national predominance. Collectively Erastian and spiritually indifferent to the comparative merits of the old and the new religions, the elective Chamber was only earnest in its wish, on any terms to secure the peace and convenience of the country and of its own members. Upon the whole, it thought perhaps rightly, that of such tranquillity, a reversion to the old faith afforded the best chance. Such is the spirit, which consistently in all periods, the people's representatives have manifested towards the national Church—its discipline, its ritual and its faith.

Yet notwithstanding this indifference to sectarian theology, the House of Commons could still, upon occasions, give proof of the reality of its Protestants preferences. Among the suitors for her hand, proposed to Mary, Courtney, Earl of

\* *Parliamentary Hist.* I., 610. See especially Heylin's Estimate quoted.

Devon, Cardinal Pole, Philip of Spain and the Earl of Devonshire, it was to the last that the royal heart first seemed to incline ; Devonshire was a man of fine presence, of handsome face, and in virtue of his grandmother having been daughter of Edward IV., of kingly descent. Devonshire, however, seems to have been a cold lover, and to have expressed his preference for the Queen's sister Elizabeth. On the other hand, Cardinal Pole had considerably passed middle life and was also too absorbed in study and devotion to be an eligible consort for a young princess. There remained, therefore, as the one suitable husband, the son of the Emperor, Charles V., Philip, now King of Spain—a man bred to the business of the Crown, of an enterprising genius, as well as possessing exceptional opportunities for advancing the trade of the country. These advantages, however, did not prevail over the fact of his being a subject of the Pope. The House of Commons made no attempt to conceal its alarm at the national prospects of such a match. They sent their Speaker and twenty of their members with an earnest and humble address to the Queen, not to marry a stranger. This was in December 1554. What answer the Commons received to their address is, as their journals put it, not known. From what is on authentic record, its purport may be inferred. The Queen hurriedly came down to Westminster. New writs were issued for the election of the occupants of St. Stephen's. It was further announced that the new Parliament would be convened not at Westminster, but at Oxford. Since the first fully constituted Parliament in 1295 of Edward I., which sat once in London, probably in the Blackfriars Hall at the end of Fleet Street, the Houses, with few exceptions, had only met at Westminster. Of the twenty Parliaments summoned by Edward II., one sat at Northampton, three at York, three at Lincoln, two in Blackfriars, one at Ripon, the rest at Westminster. Edward III.

summoned between fifty and sixty Parliaments; of these the great majority sat at Westminster; others at York, Lincoln, Northampton, Salisbury, Winchester and Nottingham. Of the more than twenty parliaments convened under Richard II., one House of Commons met at Gloucester, another at Salisbury, one at Cambridge, another at Winchester, the rest at Westminster. Of Henry IV.'s eleven Houses of Commons, two only met elsewhere than at Westminster, one at Coventry, another at Gloucester. Of Henry V.'s Houses of Commons, Westminster was the meeting place of all, except one, which was summoned to Leicester. Henry VI. summoned twenty-two Houses, all of which assembled at Westminster, except those convened to Bury St. Edmund's, Leicester, Coventry, Reading and York. Edward IV.'s eight Houses of Commons all held their sittings at Westminster save two, which met respectively at Reading and York. Richard III.'s one House of Commons was called at Westminster. All the Parliaments of Henry VII., of Henry VIII., the two Parliaments of Edward VI., five Parliaments of Philip and Mary, like the nine Parliaments of Queen Elizabeth, all met at Westminster. Queen Mary's threat in 1554 to remove the Commons to Oxford was not fulfilled. When in the April following, the House reassembled at St. Stephen's, it was asked to pass a Bill sanctioning and regulating the Queen's marriage with Philip of Spain. This measure does not seem to have undergone many changes in its passage through the popular chamber; though popular feeling in the House may have suggested certain supplementary clauses asserting that the match should not derogate from the league lately concluded between France and England. The limitations imposed on the power of Mary's husband were definite, if not unreasonably stringent. As Philip was not to interfere in the international policy of England, so he was to be a party to no arrangements that



would interfere with English trade ; that he should advance to public office or dignity, only such as were natives of the realm, as well as subjects of the Queen ; that some proportion of the royal household should be English, and should be ensured respectful treatment by the foreigners at court ; that the royal jewels and wardrobe should be kept in England ; that save upon her special entreaty to the contrary, the Queen should not accompany the King abroad ; that any children born of the marriage should be educated in the realm, and, except by consent of the House of Commons, should reside in England. Having thus defined the position and prerogatives of Philip, the House of Commons proceeded to legislate upon the prerogative of Mary.

A popular or legal superstition seemed to linger, that though the Salic Law did not obtain in England, and that while the right of the Princess to the Crown was as valid as that of the Prince, yet the royal prerogative could reside only in the person of a male sovereign. So widely spread and deeply rooted was this notion, as in the opinion of constitutional experts to call for a specific statute on the subject. The Speaker of the House of Commons, Clement Higham by name, was equally astute as a lawyer and courtier ; he had, at successive stages of his varied career, belonged to the Catholic and Protestant Churches ; his religious versatility was equalled, if not inspired, by his resolve to stand well with the rising powers ; his faculty of arguing at a moment's notice, for or against any cause, he might espouse or condemn, was remarkable ; his intellect was not less powerful and well-informed than it was subtle ; he had owed his elevation to the Chair to his reputation for parliamentary knowledge and constitutional honesty. He was, therefore, an appropriate person to promote a settlement of the interesting and rather metaphysical point now raised ; the bill which he brought in, he is supposed himself to have

drafted ; it consisted of few clauses, but affirmed in weighty and well-chosen words, that because all the laws of England had been made by Kings, it in no way followed that a King must consent to a law before it could be valid. The royal prerogative, Speaker Higham argued, was inherent not in the sex of the wearer of the crown, but in the crown itself. Whatsoever therefore the law limited and appointed for a King was of right due also to the Queen, who lacked no tittle of the authority of her progenitors. The House, however, did not readily or absolutely agree with its Speaker. *Quis vituperavit?* etc., was the exclamation which involuntarily rose to the lips of the plainer men amongst its members. That feeling found a spokesman in one Skinner M.P., who, since the thing was without dispute, wanted to know why so frivolous a law was desired, for himself he resented a trick in the words about the Queen's authority being equal to any of her progenitors ; might it not afterwards be said that because William the Conqueror exercised the power of seizing English lands and giving them to strangers, Mary might transfer the estates of English gentry to Spanish grandees. Wherefore Mr. Skinner earnestly warned the House to look to it. The speech was successful at once. A committee was appointed to correct the Bill and to add words bringing the prerogative of Mary within the same limitations as well as exalting it to the height of her progenitors. In the same session that disposed of this detail, fresh proof was given of the national importance of all that affected the great centres of population in the North of England. The Bishopric of Durham had been dissolved under Edward VI., on conditions, if not for reasons, specially affecting the rival city of Newcastle-on-Tyne. The Northumbrian members, vehemently opposed the re-establishment of Durham as a separate see. Eventually, however, the pressure which the less northern capital applied, proved successful ; the Durham

bishopric was restored by more than 200 votes against 120 after a debate which had occupied more sittings than that on the prerogative of Queen Mary. Mary seems actively to have intervened in the elections for all her Houses of Commons; she sent out private letters to all the Sheriffs to deal with the people for electing members of the "wise, grave and Catholic sort, that would mean true honour of God and the prosperity of the commonwealth, without alteration of any man's possessions as among other rumours, is spread abroad to hinder our godly purpose." The penalty of any failure to comply with these instructions for purifying the House of Commons, would, the Queen declared, be a return of heresies and a descent of the just wrath of God. The appeal was successful; it was followed in the late autumn by one of the most memorable scenes in which the House of Commons ever assisted. Not only had Cardinal Pole's attainder been reversed; he was restored to his state and dignity as an English peer of the blood-royal; he was also empowered to open his commission from Rome, as Legate of the Holy See. On Nov. 27, 1554, the House of Commons accompanied the Lords to Whitehall to hear the Cardinal deliver his message. Only Mary's health, at that time feeble, prevented the King and Queen from witnessing the apology of the estates to the Cardinal in the Parliament-House at Westminster; the function, therefore, was held in the great Whitehall Chamber; the King and Queen were seated under a canopy; on their right hand was the Cardinal, on their left and around them, the Commons and the Lords; the Bishop of Winchester acted as Prolocutor of both Chambers. Having been duly introduced to both Chambers by the Bishop of Winchester, the Cardinal proceeded with his long Apologia—as first of the provinces which embraced the faith of Christ, Britain was eldest daughter of the Church. Christ's vicar, at Rome, had therefore always accorded great grace and

benefit to these islands. Thus, when Charlemagne founded the University of Paris, the Pope sent to England for Alcuin as one of his chief teachers. In fine, all pontiffs had treated England not only with justice, but with generosity. Now that the Commons had repealed the laws exiling him to England, Cardinal Pole assured them of the full benefit and grace from the Apostolic See. So well-judged were the words conveying this magnanimous offer, that the next day the House of Commons united with the Lords in drawing up a petition for the Pope's pardon. Regret and repentance for the long schism and disobedience committed in England; the revocation of all laws against the Roman primacy, were the conditions on which parliament sued for pardon. The Commons at once appointed a committee to confer with the Lords on the mode of repealing the Protestant Statutes, a general absolution had been given by Pole, both to Commons and to Lords, as well as to Crown and people. The whole company went into the King's Chamber to sing a *Te Deum*. The work of replacing the anti-Papal statutes now went steadily forward. The Queen, on her part, gave her assent to the measures by which Henry VIII. had settled the Abbey lands upon his lay favourites. The chief Bill for repealing the Acts against the Papal supremacy was pressed forward at the season when the Houses were usually in recess; it was read a second time by the House of Commons on Christmas Day, 1555; the first Christmas Day on which the House had ever sat; it was finally passed by both Houses, two days later. If, however, the Protestant minority in the Commons thought it not worth while to press their disapproval to a division, they signified their disapproval of this precipitate reversion of the Reformation settlement by seceding in a body from the House. Of the members who thus withdrew, it is worth noticing that several, if not the majority, represented constituencies in the West of England where

popular feeling had at first been so strongly in favour of the Marian reaction towards Popery. This withdrawal was resented by the Court, as an offence against the royal prerogative, on the ground that the withdrawing members had been summoned to sit at Westminster during the Queen's pleasure, and that, having left before they were formally dismissed, they were guilty of disobedience to their Sovereign. When proceedings against them were instituted by the Attorney-General, six confessed their offence, sued for mercy and paid without protest, the fines imposed. One member, a lawyer, named Plowden, resisted; judgment was about to be delivered against him, when the Queen fell ill. The next session of the House of Commons, that beginning in the late autumn of 1555, is noticeable because it was both the last opened by the Queen in person, as well as the last, in which an ecclesiastic, as Lord Chancellor and Prime Minister, presided over the proceedings.

The one condition on which, when making their amends to the Pope, the Commons consented to restore the Roman Supremacy over the English Church, was the confirmation of the actual lay possessors in the Abbey land granted them by Henry VIII. Though seeming at the time to accept these terms, Mary was not apparently disposed to observe them more strictly than she was compelled to do. In the November of 1555, the Queen determined to take advantage of the warm loyalty of the Commons to herself as shown in their recent reception of Cardinal Pole, caused a Bill to be brought in and diligently pressed forward, for restoring to the Roman Clergy first fruits and tenths as well as those impropriations which still remained in the royal gift. These proposals were unanimously adopted by the Peers; they at once provoked a storm in the Commons. Never before under the Tudors, were the members of that House so visibly excited. Before the proposal had been fully read, they gathered in little groups among themselves to protest against it and to consider how

it was to be resisted; their hands involuntarily went to handle their swords; many of them loudly exclaimed they would part with no acre of the grants and monasteries while they were able to wear a blade by their sides. In vain the Queen sent for the Commons, told them for herself she could not, with a good conscience, take the tenths and first fruits of spiritual benefices and implored the knights and burgesses to follow her example of pious self-sacrifice and to swell her contribution to the support of the dignity of the Church's supreme head out of their own incomes. Eventually, when she perceived the obdurate temper of the House, and the disturbing passions excited by the demand, Mary showed the good sense characteristic of the Tudors by letting the matter drop; she implored Cardinal Pole to use influence with the Holy Father, that for the present he would be content with those contributions, which the Queen herself would legally make out of first-fruits and tenths, that admittedly belonged to the Crown. Before the Reformation, the officiating Clergy of England had paid substantially for their licenses from Rome; these licenses, burdensome of course to the English priesthood, were resented as a political and national indignity by the Commons. Speaker Pollard, like his predecessor in the Chair, Speaker Higham, courtier-like, shrank from mentioning this matter to the Queen. A private member named Story, whose spiritual career summed up in itself the religious mutability of the times, had, under Edward VI., been sent to the Tower for opposing the first book of English common prayer and for speaking against Protector Somerset. Story was now a strong Protestant member; he undertook to remonstrate with the Queen about the Romish licenses, that the Speaker had shrunk from mentioning. He at once found himself between two fires; the courtiers accused him of disloyalty to the Crown; the orthodox parliamentarians charged him with disrespect to the Chair. The Speaker, however, proved that Story had

spoken of a good zeal ; upon this the peccant parliament man apologized ; he was forgiven, and so the incident ended. The Romanizing faction were not entirely worsted in the episode ; the Abbey grants to subjects were not disturbed, but the House affirmed the Sovereign's right, as Queen Mary contended, to pay the first fruits and tenths, being the royal property of the Church.

Though the Queen and her ministers might count upon the general subservience of the House of Commons, its activity in initiating legislation likely to offend the court party, but demanded by considerations of the national honour, as well as its repeated insistence upon the immunity enjoyed by its members from arrest on civil process and on minor points of privilege, show the revival of its independence, begun, as has been seen, under Edward VI., to have been sustained under Mary. Thus, a measure for regulating the behaviour of foreigners in London and other great towns, as originally introduced, applied almost exclusively to French people ; during its passage, it was so amended as to include the countrymen of the Queen's husband, those Spanish residents who had followed Philip into England and whose conduct did much towards rendering unpopular the Spanish name and race. The tone of the short references to Frenchmen contained in the extant journals, suggests how interesting and instructive must have been the full debates on the subject. As it is, just enough of the temper of the House of Commons is perceptible to show us that from Mary, or rather from her husband Philip, must be dated that violent antipathy to a Spaniard that, as a national trait, replaced and absorbed the earlier prejudice against France. Everything which passed in the House of Commons during the reign tends to show that during it, France and its people may sometimes have excited the popular ridicule of England against them, but that neither enmity nor jealousy yet formed part of the national sentiment towards that country.

## CHAPTER VIII.

## THE HOUSE OF COMMONS UNDER THE LATER TUDORS.

Reflection by House under Elizabeth of national changes—social, commercial, and political—since Henry VII., especially of middle-class development—House only now ripe fully to profit by these events—The destruction or weakening in the Wars of the Roses of the old nobility had strengthened not the as yet unorganized Commons, but the Crown—Under Elizabeth territorial interest in St. Stephen's fared with the new commercial interests and manufacturing enterprise—Protector Somerset and the House of Commons under Edward VI.—William Cecil Lord Burleigh and his relations with the House of Commons under Elizabeth—Personal relations between Elizabeth and the House, generally and specially as regards subjects she tried unsuccessfully to exclude from debate—The condition of England question: social and poor law questions in the Elizabethan House—The Elizabethan House in its relations with the Elizabethan religious settlement—Atkinson, M.P., criticizes Government religious policy—Queen and individual M.P.'s, especially the Wentworths—Elizabeth and Commons amentium iri—Chancellor of Exchequer Mildmay, Francis Bacon—House of Commons progress—House of Commons Monopolies: debate and debaters described—Progressive self-organization of House of Commons, its authority over its own members, and, in Money Bills, over the Lords—Severe treatment of its own offending members—Its full reflection—social, intellectual, as well as political—of national life and character under Elizabeth—Social ambition for seats in the House causes first recorded act of bribery and corruption—Elizabeth's reign as witnessing the House, finally preparing itself under the Tudor, for struggle under Stuarts.

THE changes in the personal composition of the House of Commons during the later Tudor period reflected and resulted from the social advance which since Henry VII. had been continuously going forward. From the political and parliamentary point of view the reigns of Henry VIII. and of Elizabeth may be regarded as constituting a single period, sub-



divided into two parts by the eleven years' interval which comprised the two short reigns of Edward VI. and Queen Mary. Socially, as well as religiously, the House of Commons under the Tudors witnessed a revolution of which it readily made itself the instrument. A wealthy, tolerably enlightened, and generally enterprising middle class was now a social force and political power throughout the kingdom. The destructive duel between two great aristocratic factions, called the Wars of the Roses, had almost decimated the nobility ; in the first Parliament of Henry VII. were only twenty-seven temporal Peers. The old patrician families were largely replaced by an official and Court Peerage, resting upon the foundation of the Royal favour and of its own wealth.

These new nobles inherited little or none of the national power that had belonged to the ancient houses which they replaced. Under the earlier Tudors, not the Commons, as might have been expected, but the Crown entered into possession of the influence lost by the Peerage. As yet imperfectly organized, and not uniformly animated by a consolidating *esprit de corps*, during the earlier years of the sixteenth century the representative Chamber was not qualified for the descent to it of the authority which had once resided in another estate of the realm, now enfeebled and all but destroyed. Manifestly, however, was not destined the day at which the Commons would be ripe for the exercise of all, and more than all, the power that the Peerage had lost. The country manor-houses, still standing in many parts of England, are monuments of the matured prosperity and of the social consideration enjoyed by their possessors—the country gentlemen—of Elizabethan England. Lineage was still esteemed a social ornament ; it could not always be claimed by the well-to-do squires, who during the Tudor period were often closely allied to newly-established commercial families, but were, nevertheless, important members of the popular House.

The opening up to commercial enterprise of the new world by Cabot and Columbus had also not been without an appreciable effect upon the Elective Chamber. The influx of foreign wealth into England created a new aristocracy which entered into some of the consideration and power formerly possessed by the extinct nobility. The members of this aristocracy not only became Parliament men by purchasing country estates; they recruited that territorialism, its connection with which first gave national weight and authority to the House of Commons. The architecture, the proportions, and what remains of the fittings of the Elizabethan manor-houses serve to remind us that a century before the Stuart period opens the House of Commons had, among its members, men in means and in station not below the social standard of the Lords. The fusion of the rival interests represented by the old acres and new wealth approached completeness before Mary's death. Under Elizabeth it became an accomplished fact. The reign, therefore, of the last Tudor ends the disciplinary period, which trained the House of Commons finally to compete with the Crown for the control of the executive. That struggle, in its less pronounced phases, had been begun with the Plantagenets; it languished under the earlier, it revived under the later, Tudors. Elizabeth discreetly acquiesced in the popular victory over her prerogative. Her successor disputed the triumph thus won by the Commons; tried to regain for the Crown the lost ground, and in doing so reopened a quarrel that was to close only when almost a century later, in 1688, upon the ruins of Stuart despotism had been built up a constitutional and parliamentary Throne.

The reign of Henry VIII., and of his famous daughter, as already stated, practically constitutes a single political period; its real unity is shown by the identity of the work which, under those two Sovereigns, the House of Commons was called upon to perform; Henry VIII.'s claim to be con-

sidered a great statesman lies in the fact that he perceived the necessity of gradually and tentatively effecting the changes in the national religion to which his secular kincraft had committed him. Edward VI. and Mary, in their opposite ways, were both for precipitation; as a consequence, the young King's reign prepared the way for the violent and sanguinary Romish Revolution under the fanatical Queen, and the Marian successes ensured the establishment of Elizabethan Protestantism. Elizabeth lost no time in showing her desire to revert to the sagacious and moderate precedents of her father's policy. In Thomas Cromwell, belonging by birth to the well-to-do middle class, and a typical member of the House of Commons, Henry VIII. had found his chief parliamentary instrument. To the same social order as Cromwell originally belonged the family of Cecil,\* whose two chief members successively controlled parliamentary politics of Elizabeth.

The miscellaneous business transacted by the Tudor House of Commons during the whole period beginning with Henry and ending with Elizabeth did not vary much. Protector Somerset's first object was, by every show of deference to the popular Chamber, to make it the instrument of his religious and political ideas. The relations now existing between the Commoners at St. Stephen's and the neediest among their constituents were seen by Somerset to have become intimate. The Protector therefore encouraged the House to address itself to the relief of the universally prevailing popular distress. For that suffering were largely accountable recent changes in the agricultural and commercial economy of England. The conversion of arable into pasture land had diminished the demand for rural labour. In towns, especially in London, the woollen trade then, as it had always been, the staple national industry, provided abundant

\* Among the sixteenth century founders or progenitors of this family were Sir Thomas Cooke, a draper, and Sir Christopher Gascoigne, a London merchant.

work. Originally country cottagers practised with profit the smaller branches of woollen manufacture; that employment had now been discouraged and had almost died out. Thus throughout the country whole classes, once well-to-do wage-earners, were sunk in chronic pauperism. The use to which Somerset had turned the machinery of a private Court of Requests had already accustomed the masses to look to State intervention for relief. At the Protector's instance the House of Commons now seriously took in hand remedial legislation. Under each of the later Tudors the House of Commons Journals contain proof of the constant parliamentary attention given to this subject. Not very much, it may be, was at once done; but something about the subject-matter of the debates in St. Stephen's was now beginning to be known by the masses; the fact of the Lower House being constantly occupied with these popular subjects won it fresh confidence from the masses. The occupations to which Somerset had directed its members was calculated to win it fresh confidence from the electors. The paternal legislation which the Protector's popular sympathies forced upon the House of Commons was at first followed by an increase of pauperism and vagabondage, and provoked Paget, whose statesmanlike instinct and skill were undoubted, to protest with the Protector against the "lenity and softness," which caused him, apparently, to forget that the House of Commons had other interests than those of the poor claiming their attention.\*

The capital, in which sat the House of Commons of the later Tudor period, was itself a monument to the advance in national prosperity and wealth since the burgesses and shire knights had first met as an independent Assembly in the Chapter House. The depression and diminution of country interests, industry, and population had set in with the reign of Henry VIII., and had continued progressively thereafter. In

\* J. F. Bright's *History of England*, Personal Monarchy, 431.

Henry's eighth year the House of Commons had passed their Bill forbidding woollen manufactures in hamlets and villages, "so that the farming of lands and the mysteries of cloth-making should not be carried on by the same persons." Thus the House of Commons, which, as has been seen, was at first indebted for its importance to the debating ability, the political courage, and the administrative capacity of the shire knights or county representatives in the Elizabethan age, increasingly took its tone from the borough members now beginning to preponderate at St. Stephen's. Westminster and its neighbourhood were now adorned with the London dwellings of borough M.Ps. The whole district now wore an air of wealth and fashion. During three centuries the Metropolis had incessantly grown; its increase in wealth and splendour had been at least proportionate to its increase in population. In Tudor days, Palace Yard and Whitehall anticipated some of the modish picturesqueness of Victorian Belgravia and Mayfair. The Strand, formerly of importance only as an approach to St. Paul's Cathedral, had become one of the finest and richest streets in Europe; its goldsmiths' shops were so rich and full of silver vessels, great and small, that Milan, Rome, Venice and Florence put together, could not show many of equal magnificence. The men, in a chief degree, personally associated with all these signs of material improvement were now powers in the House of Commons itself.

Such was the environment of that St. Stephen's whither, immediately after the Coronation, was summoned for January 23, 1558, Elizabeth called her first House of Commons. The chief business of the coming session is set forth in the Speech addressed by Lord Keeper, Sir Nicholas Bacon, to the two Houses, assembled together, as was usual on the first day of the session, in the Peers Chamber:—"The well-making of laws, for the uniting of the realm into an uniform order of

religion, to the honour and glory of God, the establishment of the Church, and the tranquillity of the realm; the late losses and decays to the Imperial Crown, and the best remedies thereof." These were stated to be the chief objects for which the Estates had been summoned. For the more effectual and peaceful accomplishment of these ends, members were warned to forbear from all manner of contention, use of opprobrious words such as heretic, schismatic, papist and so forth; as well as from all licentious, loose-handling, or irreverent behaviour towards God and godly things. These monitions were strengthened by an appeal to the biblical examples of the fearful punishments reserved for irreligion, irreverence, as for superstition and idolatry; finally, the people's representatives were assured that the good King Hezekiah had no greater desire to amend what was amiss in his time, nor the noble Queen Esther, a better heart to overthrow the mighty enemies of God's elect, than our Sovereign Lady and Mistress hath to do, what may be just and acceptable in God's sight. Under Elizabeth begins the line of great Speakers, continued thereafter through the Stuart period in a succession nearly unbroken to the present day. With the Elizabethan Speakers the object generally seems to have been to secure the Royal favour to the Commons by cultivating a style of speech, full of classical pedantry, of quaint and elaborated conceits, such as were the Court vogue in those days, and such as gave Elizabeth an opportunity of airing her varied knowledge and verbal smartness. In all these arts Speaker Sir Thomas Gargrave showed himself an expert. The House of Commons debates, under Elizabeth, except upon great occasions such as monopolies in 1601, are apt to convey an impression of unreality and insignificance. Superficial and verbal criticism, rather than any serious discussion of policy, occupied a great part of every sitting; whether the absence from the Royal titles of "*Supremum caput ecclesiæ*"

invalidated the writs of parliamentary summons and other such hair-splitting puerilities on their first meeting under Elizabeth, occupied the Commons during more than an hour. After this the real business of the sitting—the Royal Supremacy Restoration Bill—was again postponed to a series of desultory attacks on the Secretary Cecil for having unduly influenced Sheriffs and Corporation to secure the return of courtiers.

The great minister just named, William Cecil, afterwards Lord Burleigh, unlike his son and successor in Elizabeth's confidence, never himself sat in the House of Commons. His ministerial connection with the Assembly was so close and his ideas were so often reflected in its debates, as to entitle him to a place among the John of Gaunts, the Protector Somersets and other notable parliamentary operators. William Cecil, created Baron Burleigh in 1571, thereafter till his death in 1598 Elizabeth's chief minister, filled so large a place in the political, as well as in the Court life of his day, as to call for something more than passing mention here. His stately figure, majestic carriage, and animated, as well as dignified, manner, made his presence that of an ideal councillor at his Sovereign's Court. The old Romans traced the descent of their heroes to the gods. The classical fancy of the Elizabethan age amused itself in deducing from a Latin origin the line of its representative men. The family surname may be identical with the Roman Cecilius. Polydore Vergil (otherwise De Castello) seems to have been responsible for the fabulous connection of the English Cecils with a Roman House. William Cecil himself was born September 13, 1520, under the roof of his paternal or of his maternal grandfather, W. Meckington, at Bourne or Burne, in Lincolnshire. About that time, Vergil, first naturalized in England, 1510, was Prebendary of Lincoln; he, perhaps, knew something, and invented more, about the Cecil ancestry. The spelling of the

name is very uncertain ; it varies much from Sitsylt, or Cecill, and Cecile, in the sixteenth century to its nineteenth century style. The patronymic was common in Burgundy, it was not unknown in Spain. One of the Spanish branch traded very successfully between Spain and England, and advanced considerable sums of money to one of the fifteenth or sixteenth century Princes of the House of Orange. The chief points in the career, as well as in the character, of William Cecil, stand forth from a mass of fiction and fancies, as clearly as the personality and the intellectual temper of William Cecil are thrown out against the background of mingled history and tradition. William Cecil's nineteenth century descendant, the Marquis of Salisbury, of 1900,\* first entered Parliament as member for Stamford. William Cecil himself, before going to Grantham School, then the Winchester of the Northern Midlands, had been at Stamford School. Witty and apt to learn from his infancy, he first studied really hard at St. John's, Cambridge, where, the earlier to get to his books, he hired a bell-ringer to call him every morning at four. Like his relative, Francis Bacon, he was entered at Gray's Inn, and called to the Bar. The only malady which sometimes attacked his portly and powerful frame was gout in the legs ; this made him seek an official position that might render him independent of his practice ; he received the appointment of Custos Brevium of the Common Pleas, with a salary of 100 marks a year. Some time later he became Chancellor of the Order of the Garter. His political life began only with Elizabeth's accession, when he himself had reached the age of 38 ; he was, in fact, the first Councillor sworn in at Hatfield, where, when she came to the Throne, the Queen resided. Though, as already said, William Cecil's name does not appear among the Commoners of his time ; during more than one generation his family had been active members of the popular House. Not only his

\* *I.e.*, ninth in descent from Burleigh's second son, Robert Cecil.



younger son Robert, but his elder, Thomas, were both returned at an early age to St. Stephen's, each from the first took an active part in the debates; but in the general life of the place was most prominent the elder brother who more than once refused the Speakership, and was eagerly sought after on all special committees. Robert Cecil, however, had always been the favourite son; to him were addressed those aphorisms of his father, which reveal to us not less of the real Burleigh than is shown of the true Chesterfield in the letters to his son. Of these counsels some specimens may be given; they reappear in not a few of Robert Cecil's House of Commons Speeches, and are to the following effect:—"Be not scurrilous in conversation, nor satirical in jests." "Some men are so prone to quip and gird, that they would rather lose their friend than their joke." "The quid's scoff and the nimble fancies yielded by the boiling brain, are but the froth of wit." "War is a curse, peace is the blessing of God on a nation." "Our enemies shall do no more than God shall suffer them." After allowance is made for the form taken by these pithy maxims from the age which produced them, may not a certain intellectual resemblance be traced between these precepts, addressed to the sixteenth century Robert Cecil, and the pungent epigrams which season writings and speeches of the nineteenth century Marquis of Salisbury. Without personal or political passions or convictions, William Cecil, alike in his virtues and in his faults, reflected the spirit of his age. Ready to take an interest in whatever might be most advanced and fruitful in the scientific speculation of the day, he retained some sympathy with the popular superstitions of the middle ages; he went to the astrologers to find out whether the marriage of his Royal mistress was written in the Book of the Stars. Strength and clearness of head made both the Cecil who belonged to, and his father who stood outside, the House of Commons, first-rate men of business. Elizabeth was im-

patient of details; no minutiae were too petty to weary the interest of the elder or the younger Cecil in his work. To an extent far greater, and in a fashion more skilful and productive, than had been the case with Protector Somerset, William Cecil's finger was ever upon the House of Commons; he had studied it till he knew perfectly the duration and the significance of all its moods. These habits of observation, supplemented by wide and deep knowledge of popular feeling, enabled this statesman to diagnose any difference of political symptoms existing in Westminster and in the country, and to predict with startling accuracy whether the opinion ultimately likely to prevail was that of the Commoners in St. Stephen's or of the constituencies which sent them there. At a time when many members of the popular House augured an abiding Catholic reaction from Somerset's intemperate haste in completing the work of the Reformation, the future Lord Burleigh drew his son's attention to the fact that, upon the whole, each new House of Commons was more decidedly Protestant than its predecessor, and that the Protestantism of this body was never more active than immediately before or immediately after a general election. Though originally sympathizing with the old faith, Salisbury believed the religious future of the nation to be with Protestantism. That conviction prompted his counsels to Elizabeth; they therefore, upon the whole, suited the preconceptions of the Queen, and were, consequently, more readily accepted by her.

The Queen herself might have been glad to see the national doctrine and ritual restored to what both had been in the last year of her father. That as Cecil saw and at once pointed out to his royal mistress was what the House of Commons would never sanction. Elizabeth reluctantly brought herself to act upon the hint; she never indeed formally admitted the right of the House to legislate for the Church. She imprisoned several members, especially

Strickland and the Wentworths, for raising ecclesiastical discussions, but eventually she acquiesced in the religious decisions of the Commons, according to Burleigh's advice.

The religious settlement therefore under Elizabeth, even more than that under Henry VIII., may be regarded as the product of the collective wisdom of the popular chamber. The point at which in these matters Elizabeth diverged from the House was the exact relationship between Church and State. The Abbot of Westminster sat in her first Parliament. At her own Coronation Mass was said. Had the national autonomy of the Church in England admitted of union with Rome, a reconciliation between the Vatican and the English Crown might conceivably have taken place. It was not Elizabeth's policy, as in effect if not in name it had been the policy of Henry, to make the Church of England a department of the State; she was therefore willing to recognize two co-ordinate powers, always provided that the religious authority did not subject itself to foreign control. Elizabeth, in a word, fully recognized the right of the Church to restate its formularies, to modify its organization, to change its services; she only stipulated that in doing these things, the ecclesiastical administrators of her realm should not take their orders from the Pope. This, in fact, was to restore the relations between Church and State, which, from the days of Alfred and William the Conqueror, had traditionally existed in England.

The earliest discussions of the first Elizabethan House of Commons were about the Bill to restore to the Crown its ancient jurisdiction in ecclesiastical matters. The title, Supreme Head of the Church of England, claimed by Henry VIII., was not pressed for by Elizabeth, who substituted "the authority under God, to have sovereignty and rule over all manner of persons, ecclesiastical or temporal, within her realm." These principles were embodied in the Acts of

Supremacy and Uniformity ; both of these passed only after long debate, as well as minute and perfectly free criticism. The Oath of Supremacy was obligatory on all members of the House of Commons, but not on the House of Lords, her fuller confidence in whom the Queen evidently wished to emphasize. In the Upper House, opposition to the measure was led by Lord Montagu ; in the Lower House by a borough member named Atkinson. Mr. Atkinson's argument seems to have been that, if any religionists were resolved on subverting the Queen's authority, no law could prevent, however it might punish, their disloyalty. As a fact, he urged, the danger against which prompted the legislation was imaginary. The Catholics of this realm disturbed not nor hindered its public affairs, neither spiritual nor temporal. They dispute not, they preach not, they disobey not, the Queen. They cause no trouble nor tumult among the people, so that no man can say that thereby the realm doth receive any damage or hurt. Where there is no sore nor grief, medicine is superfluous, harmful and dangerous. Mr. Atkinson might have strengthened his case for the Catholics, to the House of Commons, by dwelling on the already proved loyalty of Elizabeth's Catholic subjects ; that sentiment, thirty years later, was to be illustrated more conspicuously in the levee, under her standard, of Catholic regiments at Tilbury and in the Lord High Admiral of the Fleet, which defeated the Spanish Armada, being a staunchly Catholic nobleman, Lord Howard of Effingham. Even those members of the House of Commons who spoke for the Supremacy Bill, supported it, not on the ground that its penal clauses were either expedient or necessary, but that they would not generally be enforced. That perhaps may have been the personal view of Elizabeth herself. Nor, as a fact, was the measure ever put into uniform or drastic operation.

In 1559, business more agreeable to the tolerant temper

of the Queen, and perhaps to the common sense of Parliament, occupied the House of Commons. The service-book of 1549 was formally superseded by a new Manual, so framed that it might, as was hoped, conciliate many Catholic consciences. As regards all the ecclesiastical legislation under Elizabeth, the Queen, indeed, showed more regard for Catholic prejudices than was exhibited or felt by her Commons. She did, therefore, more faithfully represent the religious temper of the majority of her subjects. Strong in the consciousness of this fact, the Sovereign scarcely affected to restrain her feminine caprices in dealing with her House of Commons. The House itself, aware of the relations on this point between the Sovereign and the constituencies, showed perhaps a wise discretion in pocketing the petulant rebukes with which an imperious mistress visited it. On most vital questions, too, the Commons knew that at the critical moment the Queen would not prove too obdurate. Elizabeth's "management" of the House was marked by not less of audacity, than had been shown in the packing of it, either by Henry VIII. or Edward VI. The Crown policy with all the Tudors was to make the popular Chamber an Assembly of compliant courtiers for endorsing with the popular approval the decisions of the Government. That character was never long impressed upon it. Pertinacious as were her attempts to make its voice the echo of her own, its independence, if not always actively asserted, was, to the Queen's chagrin, never quite surrendered. To secure a working majority for the Court, Elizabeth, at a single election, brought into the House sixty-two of her own nominees. When, even thus, the majority proved untrustworthy, she tried dissolution; eventually, she summoned her House of Commons to St. Stephen's, only at the longest intervals that her Ministers would allow. A serious meaning no doubt lay in the jesting question put by Elizabeth to the Spanish Ambassador,

“What do these devils of the House of Commons want?” the answer is said to have been, “They want liberty, and if Princes do not put this down, they will soon find what all this is coming to.” The Queen, indeed, never acted upon that advice. The foreign difficulties promoted by the Pope and the domestic intrigues of Mary of Scotland’s supporters, made supplies necessary. The Commons were therefore, at intervals, however long, called to St. Stephen’s. To Elizabeth’s surprise, they made the discussion of the Succession to the Throne and consequently the Queen’s marriage, one of their conditions for granting the money. Elizabeth retaliated by denying the right of the House to debate our private affairs. “Let them,” she in effect said, “stick to their money bills and not talk about the business of Sovereigns, or even of Churches, save when called upon to do so.” Such a prohibition was declared by Wentworth to be against the privilege of the House; upon this, Elizabeth ordered Wentworth’s arrest. When, however, the Commoners asked leave to confer with the Sovereign about their liberties, the offending member was released with the assurance from the Crown that none of their rights should be interfered with. Such was one of the earliest incidents in the struggle between the popular Chamber and the new monarchy; though it ended in Elizabeth’s yielding the point, neither the strength nor the dignity of the Crown suffered. It was, in fact, a lover’s quarrel. Nor perhaps can the general relations, between the great Queen and her Commons, be better described, than by comparing them to the vicissitudes of fondness and petulance, of chiding and of blandishment, which constitute the chequered intercourse between lover and mistress. The one respect, wherein St. Stephen’s faithfully reflected the national feeling, was its admiration for the courage of the Queen, who quailed not before the anathemas of Pius V. and the military strength with which the most powerful nations of Europe

were apparently prepared to support the Bull excommunicating herself and her country. The papal aim to reconquer England for the Church at once rallied the Protestant party in the House of Commons round the Queen; the Papists were against her. The Norfolk Catholic revolt cemented the alliance between the Sovereign and St. Stephen's; Elizabeth's protestations of regard for the Lower House are not therefore probably the less sincere, because a feminine impatience of some of its moods elicited from her words like those she addressed to the Spanish Ambassador. As a matter of fact too, even in Church business, notwithstanding many superficial differences between the two, Elizabeth and her Commons, upon vital points did not seriously disagree. Towards the close of the reign, the Nonconformist, or as it had come to be called, the Puritan minority in the Chamber, demanded the summary suppression of the Anglican Romanizers. That, indeed, was not to the Queen's mind, but upon the whole the House was as willing as Elizabeth herself to acquiesce in a large measure of ecclesiastical autonomy. Wentworth M.P. fairly represented the Parliamentarianism of his period on this subject. When the Homilies were being considered by the House of Commons, this member and his friends recognized the propriety of leaving the doctrine and the letter of these discourses chiefly to the Bishops. What they resented was, an assumption on the part of the Bishops, "that the Commons would passively endorse and adopt, without independent examination and discussion, any proposals or compositions presented by the prelates." "That," amid applause, they said "were to make each one of these Fathers in God a Pope on his own account, and to say of each. 'Papa non potest errare.'" Like perhaps Her Majesty herself, the Commons had only discreetly to be humoured to sanction any doctrinal or ritual use which did not threaten the public peace or seem likely

to excite a scandal. The House disliked the Protestant sectaries, especially the Brownists,\* who contended for the liberty of each separate congregation, and Independents, just as much as it disliked the Romanizers. Nor could there be a better proof of the practical limitation upon the power of the Elizabethan Puritans in the House of Commons than their inability in 1593 to secure the defeat of a measure aimed at Dissenters. By this law, all persons above the age of sixteen, absenting themselves during the month from church were imprisoned. The enactment, as well as the arguments advanced for it in the debate, show the House of Commons collectively just then to have lost its patience with the Puritans. The Nonconforming Clergy denied that they ever taught separation from the national religion. What, therefore, asked the House, did the penal measure do more than test the sincerity of this Puritan declaration.

In one important matter, Elizabeth and the House of Commons seem to have been in perfect accord. Social legislation was recommended to it from the Throne as specially coming within its province. To reforms of this sort, as has so often happened since, the first impulse was given neither by Sovereign nor Parliament, but by outside agitation. At its session in 1570, the Lower Chamber passed severe measures, sent down to it from the Upper House, against popular agitation. The agitators themselves were hung by fifties at a time. The agitation itself was justified by the result; first the churchwardens and other local powers pressed the necessity of action on Parliament. As a consequence, very shortly afterwards, the House of Commons provided, by legislation, fresh guarantees for the efficiency of existing Poor Laws; from the days of Richard II. this subject periodically had been before the House; the subject had been before the

\* Robert Brown, a Southwark schoolmaster, 1580, seems to have formulated views resembling those of the later Independents.



House of Commons under Henry VIII. in 1535, when the casual alms-giving that created pauperism rather than relieved distress, was forbidden. A charitable contribution was, however, made compulsory on every parish. Under Edward VI., the Protestant Bishops, obviously with the intention of popularizing the new religion, had been charged by the House of Commons with the responsibility of relieving the destitute poor. All these earlier provisions had proved ineffective from the absence of any central authority for ensuring their uniform execution. While the middle-classes, urban and rural, were growing in prosperity and the House of Commons itself was becoming increasingly an assembly of well-to-do, middle-class gentry, in rural neighbourhoods the conversion of arable into pasture land, as well as the concentration into towns of the smaller manufactures, which hitherto had often been carried on in country cottages, caused agricultural distress throughout the kingdom. Vagabondage, mendicancy and crime increased at an alarming rate. While the monasteries still existed, House of Commons opinion was against dealing with these evils by legislation. The evils themselves had been held in check. The religious houses ceased to exist; the House of Commons admitted its responsibility in the matter. Directly, however, the eleemosynary agencies ceased to be operative the Popular House admitted its responsibility. Before he became Speaker, Sir Thomas More, as a private member, had directed attention to the question. The labourers, he said, were on the way to starvation; the yeomanry, as an order, were disappearing. The names of the Elizabethan leaders of the philanthropic movement, encouraged under Henry VIII. by More, have not been preserved. In 1572, the efforts of private members were familiarizing the House of Commons with the idea of converting into compulsory assessments the contributions for poor relief, more or less precariously levied on parochial or

clerical initiative. Not, however, till the latest days of Elizabeth's House of Commons, after a Royal Commission had investigated the whole subject, were appointed parish overseers, authorized by Parliament, to fix and enforce payment of a regular poor rate.

The personal and social interest of the daily life of the House of Commons was now becoming not less varied than the elements of national prosperity itself. Hitherto the chief commerce of the country, and incomparably its most important manufacture, had been in wool; from the first, the woollen interest had its representatives and champions in the Commons. Under Elizabeth, the iron, then chiefly found in Sussex and Kent, the tin and copper which Cornwall had always produced, provided industries which gradually became important. The broadcloths of Western England were now in demand upon the markets of Europe; north of the Mersey, valuable industries, textile and mineral, were being established. The unemployed thus found an opening for their labour. Cases of extreme distress diminished in number and in gravity.

The crowd which, in Palace Yard, may have watched the arrival of well-known M.Ps., had visibly improved in its circumstances. The same national events which promoted the fortunes of the new House of Commons champions of the poor increased the collective importance of the Assembly itself. In 1567, the General employed by Philip II., Alva, and his "bloody Council," not only put down the revolt of the Spanish Netherlands; they destroyed the commercial prosperity of the country, which was then England's chief rival. To the number of 100,000 Dutch or Flemish traders and artisans emigrated to England. Here they taught their manufacturing industries to the native population. Upon the ruins of Antwerp London rose to commercial greatness, and by its prosperity enriched, directly or indirectly, every class of the

community, especially that social order that now increasingly sent members to the House of Commons. St. Stephen's was thus the political centre of a metropolis that had become not only the social and political heart of England, but the emporium of the world. Gold and sugar from America, silks from India, were now landed in bales upon Thames-side wharves; the Venetian carrying fleet had been succeeded by the merchant navy of England; not only into London, but into every British port, rolled the golden flood. Edmund Burke's future constituency, Bristol, dates from Elizabeth.

At the same time, this commercial industry and wealth were developing abuses, which the humanitarian spirit hereafter to be fostered by Burke, more than by any other individual, was in later ages to relieve. In 1562 Sir John Hawkins had brought back from Guinea a cargo of negroes for transport to America. Thus was founded the Slave Trade, which continued without serious challenge till the same year, 1788, witnessed Burke's impeachment, "in the name of human nature, of the common oppressor of us all"—Warren Hastings\*—and the opening by Wilberforce of the organized attack upon the Slave Trade, that was to end successfully just twenty years later, in 1807.

Everywhere middle-class life in England was enriched by the comforts or luxuries diffused by cosmopolitan intercourse. Not only the greater squires in their manor-houses, but the wealthier yeomen farming their own lands, from whom the squires are scarcely distinguishable, now ceased to pass their afternoons or evenings, when the chief meal of the day had been taken, in the society of their dependents or servants; leaving the dining-hall, together with their wives and daughters, they proceeded to the upstairs withdrawing-room. Now, too, houses first were furnished with chimneys

\* Burke's opening speech against Hastings.

outside, and inside with carpets,\* in place of the reeds, which in the sixteenth century were thought to have caused the sweating sickness that half depopulated London and other towns.

The middle-class was henceforth to control English opinion. Owing, as that class did, its prosperity, in great part, to the mercantile results of the foreign voyages prompted by the Elizabethan spirit of knightly enterprise, it recognized in the Lower House of Parliament, the Chamber with which its well-being was so closely bound up, and in the Queen, the Sovereign who, if in moments of womanly petulance she censured individual members, might yet be trusted to maintain the freedom of its deliberations and debates. Her differences with it were, indeed, many and sharp, but superficial. No one knew better than did Elizabeth the usefulness to her of a Protestant House of Commons in rallying round her the nation against international enmity abroad and Roman Catholic intrigue or conspiracy at home. It was to the nation represented in the House of Commons that Elizabeth addressed her assurance—"Nothing, no worldly thing under the sun, is so dear to me as the love and goodwill of my subjects." Yet at the very time these words were uttered by the Queen she was at issue with her Commons on points so important as, first, the claim of the Commons to discuss Church government or trade and the succession to the Throne; secondly, the concessions to be made to the Protestant exiles, lately returned from Geneva, and now desirous of grafting the Calvinistic theocracy upon the national religion. Dalton, Strickland and Wentworth, the M.Ps. personally censured by the Queen for promoting measures on business too high for them, accepted the Royal reprimand; they were not over-

\* Carpets had been known in France between 1559 and 1610. Within some twenty or thirty years of the later date some French artisans leaving in discontent, their own country established the carpet manufacture in England.

awed by it, nor was the House itself intimidated from discussing those matters of which it had been warned by the Queen to be beyond their competence. Evidently, too, as has been hinted above, the Chamber secretly believed that the Queen's estimate of the relative sympathies of the nation with the old faith and the new had been more correct than its own. In 1581 the House of Commons, under the influence, as it might seem, of a transient passion, made the hearing of the Mass in private high treason. That in operation the measure proved less severe than its letter threatened was due chiefly to Elizabeth's initiative and the action of her executive ministers. Individual members of the House of Commons were disposed to complain of this interference with their law; the general feeling of the House was against taking any notice of the matter.

Amid the long series of differences between Elizabeth and her House of Commons upon freedom of speech and the limits of parliamentary discussion three figures stand out in strong relief. They are those respectively of Strickland, the earliest champion under Elizabeth of parliamentarism, and of the two Wentworths. This latter pair, named respectively Paul and Peter, both sat for West of England, probably for Cornish, constituencies. Peter is known to have represented the borough of Tregony, between the years 1575 and 1581; he was a native of that Cornish district wherein had taken place a mingling of the blood of the original Celtic population with that of the Phœnician traders, who in the earliest times bartered their cloth and drapery for Cornish tin and copper. In the neighbourhood of Redruth that racial intermixture still shows itself in the features and complexion of the native peasantry. As one reads the traditionary account of Peter Wentworth's deeply-set, kindling black eyes, of his swarthy countenance, crisp black hair, and nose like a vulture's beak; as one further observes the tenacity of purpose with which he

stuck to his parliamentary brief and the luridly histrionic touches of his oratory, one may perhaps imagine oneself to be in the presence of the first great Semitic member of the House of Commons. The two great subjects of which at this period, as always she had done, Elizabeth resented discussion by the Commons, were the Succession to the Throne, meaning, as practically that did, the Queen's marriage, and any point connected with the doctrine, discipline, or worship of the Established Church.

Nothing could have been more skilful, politic, and effective than the intermingling in Peter Wentworth's speech of courtly loyalty, parliamentary independence, a determination to speak out the full mind of himself and of the House, yet to abstain from any direct reflections, much less attacks, on the Queen herself. The real object of Wentworth's high tone of invective was nothing which Elizabeth had said or done, but an impersonal rumour running about the House as to what the Queen's Majesty liketh or liketh not. As was to be the case in the House of Commons complaints under Charles I., and in very different circumstances under George III., it was not the words, wishes, or actions of the Crown, but the sinister and coercive effects of some influence behind, or, in this case, surrounding the Crown, against which Wentworth protested. "My only object," wound up this speaker, "is the advancement of God's glory, an honourable Sovereign's safety, and a sure defence of this noble Isle of England by maintaining the liberties of this Honourable Council, the fountain from whence do spring all things that I prize."

These words obviously could be interpreted as applying to Elizabeth's attitude towards Mary, Queen of Scots. Though in that matter an important section of the House went with, and even further than the Crown, a compact and growing minority were reasonably suspicious of incurring the Queen's disapproval. The moral effect of Wentworth's discourse was

of dramatic intensity. Admiration of his courage and eloquence was tempered by alarm at its possible consequences; that sentiment was heightened by the arrest and committal to the Tower of an earlier champion of parliamentary liberties, the already named Strickland. With practical unanimity the House resolved to anticipate collision with the Crown by itself rebuking the member for Tregony. Wentworth was examined by a committee of the House; in his answers to the questions now put to him, he showed as much courage as in his great speech, and far more dexterity of argument. The proposal was for his sequestration, in other words his removal by the Speaker's Serjeant to some place of custody. "But," avowed Wentworth, "he had only dared to tell the truth, to give the Queen's Majesty warning to avoid her danger; his imprisonment, therefore, must have the effect of so weakening, wounding, and discouraging the hearts of other subjects of the Queen, not less loyal than himself, that they would shrink from tendering Her Majesty the counsel which thereafter might be so greatly needed to save the Crown from open quarrel with the Commons; the pleas thus set up, availed nothing; amid breathless silence, Peter Wentworth, brought to the Bar of St. Stephen's by the Serjeant, received judgment to be committed close prisoner to the Tower for his offence and remained there during the Speaker's pleasure.

The Chancellor of the Exchequer at this time was Sir Walter Mildmay, who also acted as Leader of the House. In some remarks advocating a subsidy for the Crown, Mildmay deprecated the surrender by the Commons of any of their ancient privileges; he again impressed upon his audience the need of the Chamber faithfully mirroring the nation, when at the same sitting he brought forward two other motions—the first that no member employed on diplomatic service abroad or absent from sickness shall lose his seat; the second, that Earl of Bedford's son, Lord Russell, and other sons of Earls, shall

not be disqualified from sitting in the House of Commons. The Wentworth incident was not yet at an end ; it was, indeed, to be resumed twelve years later, in 1587. But for the moment, after having submitted himself to the committee, not, he expressly said, in their capacity of Privy Councillors, but as members of Parliament, Wentworth quietly went in his own conveyance to the Tower. Meanwhile the Queen noting, as like all the Tudors she was ever quick to do, the sign of a hostile public opinion, told the Commons she had remitted her displeasure against him ; exactly a month after his first arrest, Wentworth was set at liberty. The spirit of the member for Tregony was not broken by these experiences. No session, scarcely a single sitting, passed without his actively asserting himself as the champion of the Commons' rights against the Crown's trespass ; now it was some matter of Church observance ; now some question affecting the relations between Her Majesty's Privy Council and Her Majesty's Commons. In 1587, together with one or two more who may be regarded as his parliamentary following, who constituted a little Wentworth party, the Cornish representatives figured prominently in an important and picturesque episode. The proposal before the House was for a complete revision of the government of the Church generally and the text of the Common Prayer Book particularly.

Wentworth's colleague in this business, Cope, M.P., not only brought in the Bill for the purpose just named, but laid on the Table of the House a Prayer Book, drawn up on the lines as indicated by the Reformers. The Speaker vainly tried to stop the discussion as one prohibited by the Crown. Before the House met again, the Queen had obtained from the Speaker a copy of the Bill and the Book. Meanwhile, Wentworth was maintaining before the Assembly its inalienable right to deal with Church or any other matters ; finally, he stated his case in a number of questions, submitted to the



Speaker, but which the Speaker refused to read to the House. Wentworth now, for the second time, and together with him all those who had taken his part, were committed to the Tower; three weeks afterwards Parliament resolved that all the prisoners should be released. Leniency, however, did not subdue the Cornish member to subserviency; he had, indeed, strengthened his cause by attracting one or two fresh followers, notably Sir Henry Bromley.

In 1593 met a new House of Commons, whose Speaker, suing from the Crown liberty of speech, received the answer that privilege was granted, not however so as every one should say what he listeth, or what cometh into his head, but the privilege only to utter "aye" or "no." That was the signal for Wentworth to risk fresh martyrdom by a motion soliciting the Upper House to co-operate with the Lower in inducing the Queen to settle the succession; together with his supporter, Bromley, the member for Tregony was hailed before the Privy Council and imprisoned. A few days later, Morice, Attorney of the Court of Wards, introduced a Bill for reforming the practice of the Ecclesiastical Courts; that was to trespass on forbidden ground. The Queen at once severely reprimanded the Speaker, who, in his turn, ordered Morice to the Tower, and further gratified the Sovereign by securing the offending member's deprivation of his official post, as well as of his right to practise at the Bar. Yet the Queen, who showed such vindictive jealousy of the slow struggles of her popular Chamber towards freedom of speech, could at times with sincerity say, "never thought was cherished in my heart that ended not to my people's good." A little later, Elizabeth was to give substantial proof of the genuineness of that sentiment.

Meanwhile, the explanation of the meekness, with which a Chamber whose spirit of independence was really rising every day, kissed the rod that so often and so sharply smote it, is

not really difficult. In its reliance on the patriotism, on the courage, and on the wisdom of the Sovereign, the House of Commons faithfully reflected the nation. In the apparent consciousness that the Queen's religious views represented the popular temper, more truthfully than did the Puritan members at St. Stephen's, the collective wisdom of the popular Chamber shrewdly recognized an undoubted fact. If the popular leaders of the House of Commons at this period are to us little more than famous names, enough is known of their work and of its results to testify the sagacity and foresight with which was conducted their opposition to the Court. The conventionalities of intercourse between the Chamber and the Queen or her Ministers; the pedantic and hyperbolical phraseology, wherein were passed motions extolling the Royal clemency, moderation and goodness, justly seemed to the shrewd sense of St. Stephen's an affair of words, a mere matter of form. However undignified might seem such flatteries inscribed in the Commons' Journals, they involved no surrender of a single right essential to the real independence of the House, or to those national liberties of which the House was custodian. In all the tiffs (no word more dignified expresses so well the nature of the squabbles) victory was uniformly with the people's representatives, whose sagacious chiefs might well rest upon the conviction, not only that the political spirit of the age was on their side, but that the Queen herself, as well assured of this fact as any of their own members, would never risk a serious rupture with the men, whom at heart she accepted as representing the subjects for whom, not idly, she ever protested her sovereign love.

How surely during this long season of, as some may have thought it, an ignoble compliancy with the Crown, was being organized in the House of Commons a party stronger than had ever yet been known, to resist and defeat Crown encroach-

ments, the events of Elizabeth's closing years were unexpectedly to show.

The management of the memorable debate on Monopolies, which opened November 20, 1601, tending as it did in complete surrender on the part of Crown and Court, shows, as nothing else could have shown, the consummate wisdom of the patience that during three or four decades had marked the leadership of the popular party. This was, in fact, the first great exhibition of parliamentary strategy in the popular House. It foreshadows, more clearly than anything else had foreshadowed, the parliamentary statesmanship of which in the following Stuart reigns the House of Commons was to be the inspiration and the centre. A very brief recapitulation of facts will enable us to understand the dauntless courage and the untired waiting of the right opportunity, whereof this debate and its consequences are the monument; the Crown's prerogative to regulate commerce, long undisputed, had been exercised in lavish grants to her courtiers of patents to deal exclusively in articles, for the most part, the common necessities of life. In the House of Commons of 1571 attention was first drawn to this custom and its hardships by a borough member, named Bell, of whom little more is known than that he, being in the full vigour of manhood, often used to support into the House the grave and ancient Mr. Strickland, the Protestant champion who first denied the Crown's right to enjoin silence on Church matters; Bell, in the midst of his remarks, was summoned before the Privy Council, whence he presently returned, with terror stamped so visibly on his countenance as to deter his brother members from pursuing the discussion. After an interval of more than a quarter of a century, the House of Commons, in 1597, returned to the subject, and submitted to the Speaker. In reply, Elizabeth appealed to the Chamber's loyalty to herself, not only as Queen, but as woman. Surely her dutiful subjects would not

take away her prerogative, the choicest flower in her garden, the principal and head pearl in her crown and diadem. At the same time, she promised an examination of all Patents and her own, abiding by the touchstone of the law. Nothing, however, was done to reform the abuses or to redress the grievance. In the House of 1601, a borough member, Lawrence Hide, produced a profound sensation by reading a list of the articles subject to Monopolies, and by indignantly asking why is not bread amongst them, to which question a voice in St. Stephen's exclaimed: "If no remedy be found for these, bread will be there before next session." Public opinion on the subject, both within St. Stephen's and without it, was more strongly aroused than by any other controversy between Crown and Commons during the reign. The approaches to St. Stephen's were thronged by an excited mob. Constituents personally attended their members to the House, to urge upon them the need of giving a popular vote. The entire Court party, comprising all those who had hoped for official preferment, or who were otherwise on their promotion, were unanimous in resisting the proposal of Hide, whom they denounced as an overthrower of the Crown's hereditary rights. All the pedantry, as well as all the classical learning of the period, was pressed into speeches, curious rather than powerful, by a member for Warwick town, one Spicer, by a relation of the ducal house of Russell, Francis Hastings, for proving not only that the granting of these monopolies was the Crown's inalienable right, but that the very etymology of the much-abused word proved the monopolies to be a Royal attribute. When this point had been reached in the debate by the Warwick M.P., Spicer, there sprung up to answer him the newly-retained member for Middlesex, remarkable in appearance for the foppishness of his dress, for his dark olive complexion, and for pointed features, at first suggestive of Jewish descent, with a cynical smile perpetually playing over them. This was

the future Attorney-General,\* then a rising barrister, who half-an-hour earlier might have been seen walking at a sharp pace, but with an abstracted manner, from his chambers in Gray's Inn, down Holborn, then straggling into the Strand, and thence to the Parliament House; Mr. Francis Bacon, as was called this Middlesex member, declared Mr. Hide's Bill would be as ponderous and weighty as its clauses were few. This maiden speech had been made, a session or two earlier, on law reform; that effort brought its author to the front rank among Elizabethan debaters; it also first directed attention to those legal changes which, long advocated in St. Stephen's, were not fully carried out till the Victorian age. Upon monopolies the then member for Middlesex ranged himself on the Court side.

Bacon's personal sympathies and political ideas were, in truth, the reverse of popular. The equalizing of human abilities is among the assumptions involved in his scientific method. An equality of civil and political rights as the inalienable property of Englishmen had no place in his political creed, nor was yet understood. Even in these earlier years he was heart and soul a Court lawyer. To touch the prerogative was to threaten the monarchy, and, in effect, to plot against the State. Bacon gave the House to understand he

\* For an account of this speech, see *Parliamentary History*, Vol. I., 925. That account makes Bacon speak of himself as "I, the Queen's Attorney-General." This Bacon never was. Under James I. he became Solicitor-General, June, 1607, and Attorney-General, October, 1613. Either therefore the House of Commons journalist, quoted in the *Parliamentary History*, must have interpolated an inaccurate description of himself, never given by Bacon, or the word General must have slipped in accidentally after the word Attorney. "Attorney" was used even later than the Elizabethan age, loosely and not in a technical sense, to signify an agent or representative. Attorney-General in the special sense dates from Edward IV. In that meaning Bacon could not of course have applied the official style to himself in the House of Commons. If he ever said General, or if the journalist of the House ever said it for him, the expression can have meant no more than a responsible representative of the Queen.

had always regretted its tendency to encroach on the princely province. He therefore wished every man to be careful in this business ; while for himself he humbly prayed the House to testify that he had discharged his duty in speaking on Her Majesty's behalf. This was the general tone of most of the speeches on the same side. It was, in a word, a battle between the new-born parliamentarism and the old-world Court privilege. Bacon's views as to the probable issue of the struggle may be judged from the side he took ; so hopeless seemed to so shrewd and sagacious a man any trial of strength between Crown and Commons.

Before, as the future Lord Chancellor seems to have done, interposing a second speech in this debate, there rose to address the House, in the same sense as Bacon had done, a West of England member, who, in personal appearance, as in parliamentary manner, presented a marked contrast to the future Lord Chancellor. Bacon's demeanour and phraseology were those of the Court lawyer, whose every word was prompted by the hope of Court promotion ; while as he spoke a hard, cynical smile played over his dark features, as of one who seemingly despised himself for the brief he had taken. The man who now rose, though of a complexion naturally less swarthy than the Gray's Inn lawyer, was still bronzed by the sun ; his delicately-moulded features showed signs of exposure to wind and weather ; his prominent eyes, fringed by remarkably long lashes, had the far-away look of a sailor wont in his long vigils intently to scan the most distant horizon, in the expectation of descrying either land or sail ahead. There was an air of chivalry about him ; his costume was that of the most modish Court fashion ; his phraseology and pronunciation were not free from a suggestion of the affectations and conceits with which euphemism had infected the upper classes of the period. Sir Walter Raleigh, who owed his seat in St. Stephen's to his position as Warden of the Court of Stan-

naries, was known never to come forward in a debate unless conscious of some message to deliver, and prepared to give to the discussion some touch of novelty, however slight. Tin Patents had always belonged by memorial rights to the Dukes of Cornwall; from them that privilege had descended to himself as Lord Warden of the Stannary. So far from the monopoly in his case being inconsistent with it was directly contributory to the common good; for before the granting of my patent, said Raleigh, the poor workmen never had above two shillings a week, finding themselves coal, but since my patent, whosoever will work may also buy tin for themselves cheap, and, as wages, have four shillings a week truly paid. For himself, however, he concluded he was prepared freely to consent to the cancelling of that monopoly, if the House desired it.

Raleigh was followed by an Opposition member—a short, thick-set country gentleman, who despised all refinements of manner or of diction, and boasted that he, at least, was nothing more than a plain man. This was Sir Edward Hobby, who very tersely, but circumstantially and emphatically, denounced Patents as “agencies for ruining the nation.” Salt was the subject on which Hobby seemed an expert; his facts and figures, cleverly marshalled and much applauded in their delivery, went to show that, by calling in the Salt Patents, £3,000 a year might well be saved in the ports of Boston, Hull and Lyme. The second speech of Bacon, coming as it did immediately after that of Hobby, may have been prompted by a desire to impress upon the Court that he had practically recanted his heresy of 1593, and that for the future his vote and his arguments might be relied upon. The incident in Bacon’s parliamentary career of eight years earlier now referred to, had arisen from a message from the Lords to the Commons, reminding them of the Queen’s want of supply, and suggesting a committee of conference between the two

Houses. Such a proposal repeatedly forthcoming during this period implied a surrender by the hereditary Chamber of the right to originate money Bills. The conference, however, in 1593, seems to have taken place, with the result that the Lords and Commons ultimately agreed as to the amount of the tax. Bacon, however, at once rose to intimate, not his objection to the grant, but his dislike of the manner adopted; he objected *in toto* to the Lower House joining with the Upper in fixing the sum. So fruitful seems to have proved that protest, that during the very session now reached, that of 1601, a fresh proposal of a Money Bill Conference with the Lords was lost on a division by 128 to 217. His independence in that matter was resented by the Queen. Hence, as perhaps already hinted, Bacon's support of the Court in the Monopolies Debate. The Bill, he said contemptuously, was very injurious, in that it swept away Her Majesty's prerogative, and very ridiculous in that it was expressly provided that this Statute shall not extend to grants made to Corporations. In other words, it is a gull to sweeten the Bill, withal; it is only to make fools, fain; for all men of the law know that a Bill which is only expository doth enact nothing, nor hath any promise of good therein. One feature in this discussion struck observers as remarkable. Mr. Secretary, Sir Robert Cecil, though sitting in the House as member for Hertford, took very little, if any, part in the debate. Shortly after the speeches on different sides of Sir Edward Hobby, and for the second time of Mr. Francis Bacon, Sir Robert Cecil left his seat on the right hand of the Speaker, and went to say a few words to him behind the Chair. Their tenour was in a minute or two shrewdly guessed; the rumour ran round the House that the Queen had capitulated to the Commons, and that the debate was practically over. What had indeed happened was this: Mr. Secretary, Sir Robert Cecil, had suddenly received instructions from the Palace to assure the Speaker and his



House of Her Majesty's intention to revoke all existing Patents and to grant no more for the future. The House lost no time in an effusive testifying of its gratitude to the Crown. Elizabeth's reply was not only appreciative, but apologetic. Never since I was a Queen did I put my pen to any grant, but upon pretext and semblance made to me, that it was both good and beneficial to the subjects in general, even though a private profit to some of my ancient servants who had deserved well; never thought was cherished in my heart, that tended not to my people's good. An entire series of affectionate compliments interchanged between Commons and Queen culminated in money grants by the Commons on an unprecedentedly generous scale before the session closed. The House indeed stipulated that its present liberality was not to be taken as a precedent. But in the Lower, as little as in the Upper, House was any dissentient voice raised against the subsidies voted in the last month of 1601, more than double in amount though these grants were of any previously given.

Having won a great popular victory over monopolies, and having duly acknowledged the Sovereign's graceful and politic concession, the House of Commons proceeded to discuss and legislate for the moral and spiritual welfare of its constituencies. The debates on these subjects are of interest, if only because they reflect the thoughts of serious people. Amongst the measures now introduced was one against cursing and swearing, supported by arguments and analogies purely religious and biblical, fitter, as more than one member ventured to suggest, to a place of worship than to a place of secular legislation. A borough member, named Glasscock, made a speech, which was received by the House as exhaustive of all to be said on either side; by copious extracts from the Old Testament, occupying pages of the Commons' Journal, he showed profane oaths to be so heinous an offence

against the Deity, that a penalty of ten shillings for the offence was so inadequate to its magnitude as to be almost blasphemous. These parliamentary homilies were varied by practical efforts at didactic legislation.

Slowly, perhaps, but surely, the Prayer-book was winning the admiration, as well as the affection, of the country. The Anglican services were not, however, as yet uniformly popular. It was now proposed to enforce attendance at them by a fine of a shilling on all absentees. Supported or promoted by the Government, the measure was criticised on both sides in speeches creditable to the good sense and independence of the House. That such a mulch were the worst way possible of popularizing Divine Worship, that here, as in other things, should be observed St. Augustine's rule, *non jubendo sed docendo, magis monendo quam minando*, were the considerations on the subject that generally commend themselves to the sense of the House. In these religious discussions little part was taken by the master spirits of the House. Like his kinsman, from whom in so many respects he differed, Francis Bacon thought the parliamentary silence on all religious subjects should be as complete as Elizabeth herself desired. Bacon indeed seems to have had a philosopher's disbelief in representative institutions. The English Monarchy seemed to him of proved value; the House of Commons was still on its trial. He was a Reformer only within the limits of his own profession. He was the first of law-reformers and codifiers; he considered the state of Ireland to admit of improvements. Throughout the debates on ecclesiastical subjects his voice seems not once to have been raised on behalf of civil and religious liberty; persecution in its milder form perhaps seemed to Bacon, as to some others, to be not without its uses. Brownism, which would split up England into a number of sects, should be put down by law. "The imperfect Vicariate of a House of Commons" is a phrase which seems so well to

express Bacon's ideas of the Chamber in which he sat, that he, and not Disraeli, might almost have been its inventor.

Under Elizabeth, a formidable rival to the House of Commons, of popular representation, was establishing itself in the Press. Printing of all kinds was subject to severe licensing inscriptions, but between the last Tudor and the first Stuart the Puritan pamphlets, scattered broadcast throughout the land, reached masses of the people who seldom caught the echoes of the St. Stephen's debates, and did more than Parliament accomplished for liberty of every kind, searching and deep, as often were the Commons' debates on the principles of the new English Constitution.

It was in books, like Hooker's *Ecclesiastical Policy*, rather than from the utterances of statesmen at Westminster, that thoughtful Englishmen learned the true nature of the English limited Monarchy as well as the dutiful relation which ought to exist between Church and State. So far as can be gathered from the extra accounts of his most carefully prepared speeches, Francis Bacon's views of the House of Commons as practical as, and indeed closely analogous to, his philosophic method for extending the dominion of man over nature. In a speech concerning weights and measures delivered during the same session, as that in which he spoke against cancelling monopolies, Bacon gives it as his opinion that the first business of a practical chamber like St. Stephen's, is less to legislate than to keep in good working order those parts of the machinery of State, which come home to the business and bosoms of all Englishmen. His daily experience had taught him the inconvenience and injustice of false weights and measures; as a member of the House of Commons, he might have it in his power to remedy this evil, therefore he ought to make the attempt; a few additions to a statute of Henry VII. would, he apprehended, do all that was needed. Hence his speech in this debate, which shows its

maker to much more advantage than he had appeared in his laboured but conventional deliverances on the royal prerogative. This way of regarding the House of Commons as a national agency for improving the conditions of daily life, at once commended itself to the good sense of the Assembly. A little later in the same session, another member, Heywood Townshend, at the beginning of a speech, quoted the parliamentary principle laid down by his worthy and honourable friend, Mr. Francis Bacon; he went on to advocate the suppression of discreditable solicitors who touted for practice by unworthy means and thereby inflicted great loss upon a credulous public. Prowling solicitors, at this time, seem to have constituted the same sort of excrescence on the legal profession, as, at a later period, are prowling cabs on the Metropolitan traffic. Under the Tudors, the House of Commons had finally prepared itself for—had indeed perfectly rehearsed—the part which it was to play under the Stuarts.

Henry VIII.'s confiscation of the monasteries enriched others than the territorial peerage—the Cavendishes and the Russells. The not yet ennobled friends of these famous houses—country squires of all degrees, who enjoyed the favour of their Prince, received grants out of the Abbey lands. It was this very section of the upper middle-class, whose share in the commercial enterprises of Elizabeth's reign, became a fresh source of wealth. These, too, were the typical members of the Elizabethan House of Commons. The sixty-two new seats, added by the Queen, were filled by men of the sort now mentioned—squires, not generally of ancient lineage, but of wealth and influence; closely connected on one side with the old territorial, on the other with the new commercial interests. Many of these new members were returned to St. Stephen's to do the Royal pleasure. The first great borough monger, Speaker De La Mare's life-long opponent, had been

John of Gaunt. The system of packing the House of Commons, begun under the Plantagenets, was continued and improved upon by the Tudors. None of these efforts to limit its discussion or to control its votes, permanently interfered with its independence. Before the last Tudor was followed by the first Stuart, the House of Commons had asserted and made good its refusal to be warned by the Sovereign from the free discussion of any subject whatever. Each member of the Assembly, in altering by bill or speech the briefs and wants of the commonwealth, was conscious of speaking as the representative, not of his own single constituency, but of the whole country, and derived courage and dignity from the knowledge that the whole tendency of the events happening around him, was to heighten the authority of his own Chamber. Elizabeth had followed her predecessors in endeavouring to withdraw the Royal succession, the Church and the regulation of trade from the subjects debated by the Commons. None of these matters the Queen told the House, came within their understanding. When Sir Edward Hobby, whose name already has been mentioned in these pages, complained from his place in St. Stephen's of the exactions of the Royal Exchequer, he was sharply rebuked by Elizabeth, and narrowly escaped imprisonment. But Court management and kingcraft never checked the movement, daily advancing and soon triumphantly to culminate in the House of Commons victory, as regards monopolies after a debate lasting four entire days. The attendances indeed, at the House of Commons, were still comparatively small and precarious; the Division Lists averaged from 200 to 250. That, of course, was of advantage to the Court over the Commons; it did not seriously interrupt or retard the onward progress. Certain other circumstances may be mentioned, as, on the eve of the Stuart period on which we are now about to enter, tending to increase the

executive as well as personal importance of the Lower House. Under Elizabeth, it had become the practice of the Chief Ministers of the Crown, a Robert Cecil, a Knollys, a Walsingham, not only regularly to attend the sittings of the House of Commons, but to take a prominent part in its debates, as well as to make them the occasions for official announcements of imperial policy.

Another important House of Commons principle, already briefly referred to, had indeed asserted itself under the Plantagenets, but was fully established only under the Tudors. Such was the constitutional doctrine that each member of the House represents not only his constituents, but the whole kingdom; it is also, as Hallam has pointed out, the principle which marks the distinction between an English Parliament and such deputations of the estates as had assembled in continental kingdoms. Under Henry V., every city or borough was obliged to elect only resident members of that community. After the enactment of that statute, a seat in the Commons, soon became increasingly an object of political and social ambition. At the same time many boroughs fell into decay. Thus, inevitably lapsed into desuetude, a rule, which could only be made absolute at the risk of sending inferior or unfit men to the House of Commons. Growth in national consideration and authority was accompanied by an increase of self-respect. Not indeed till the Stuarts were on the Throne, did the House of Commons complete its internal organization, by formulating its standing orders for the regulation of its procedure, and the control of all members. The first and controlling principle of House of Commons debates is the presentation of every subject in the form of a question put by the Speaker, to be debated, amended and probably divided upon, as the collective wisdom of the Commons may ordain. That practice was finally established in the reign of James I., when the Journals of the House were

inscribed with the standing instruction "nothing passes by order of the House, without the question." But long before the earliest Stuart days, the Commons had taken steps to remove all pretext for interference with their debates or with their members, whether by the Crown or the Law Courts, by prohibiting as well as severely punishing offences of their own body against public order or decency.

This seems a convenient place, for tracing the steps taken by the House, to prevent scandals at St. Stephen's, and to coerce unruly members into good behaviour.

Under Edward VI. and Elizabeth, among the private members of the House of Commons, was one, whose sombre and gloomy aspect had earned for him from his brother members, the title of Don Dismalls. The melancholy of his face and bearing was deepened by his habitual dress, that of one in deep mourning. This was John Storie, a loyal, but obstinately Catholic M.P., who eventually perished as a traitor in the reign of Elizabeth, but had been first heard of under Edward VI. Storie had spoken and written disrespectfully of the Protestant Lord Protector, the Duke of Somerset, who was also favourably disposed to the popular Chamber. In 1547, the Speaker's Sergeant-at-Arms arrested Storie on the order of the House, imprisoned him in the Tower, whence two or three months later he was released, at the instance in the first place of the King's Council; if this be not absolutely the earliest instance of the House's penal discipline over its own members, it is the first of which there is authentic record. During the next reign, that of Mary, Copley, another borough member, was committed by the Sergeant-at-Arms for disrespectful language about the Queen; the Speaker was ordered to report the incident to the Crown and to ascertain the Royal pleasure. Mary took no notice of the recommendation of Copley to their mercy. A prorogation immediately followed, and the incident ended. Rather less

than a generation later, occurred a case illustrating at once the House's jealousy of its privileges and its determination that these privileges should not be abused to its own discredit with the public. In 1575, one Smalley, the servant of Arthur Hall M.P. for Grantham, arrested for debt, had been set at liberty on the Speaker's intervention. When however presently, it became known that Smalley's arrest had been fraudulently arranged by himself for the purpose of getting rid of the money claim, the man was imprisoned by the House for a month and ordered to pay not only his liability in full, but a fine of £100. Under the Plantagenets, the claim of M.Ps. for exemption from civil process had been successfully asserted; but then the privilege had been secured by a Chancery Writ or by a special statute. Not till the last of the Tudors were the privileged persons, liberated solely by the Sergeant with his Mace, without any machinery of writ. The exemption of the servants of M.Ps. from civil process was recognized in the reign of George III. The privilege of M.Ps. themselves from arrest for debt while the House was sitting, continued of course very much later into Victorian days, till imprisonment for debt, itself ceased. Six years later than this, in 1572, Smalley's master, the already mentioned Grantham member, Hall, incurred the anger of his own Assembly. Hall's real or supposed connivance at his servant's fraud, had reflected discredit on his constituency, as well as upon the Assembly itself. He had crowned his offences by, in 1581, writing a book, which contained passages reflecting injuriously upon certain of his colleagues at St. Stephen's and likely to detract from the legislative usefulness and popular consideration of the Assembly. The incriminated writings were brought before the Commons and considered during a critical debate, wherein not one voice was lifted up for the author, who had indeed already pleaded guilty and appealed to the Speaker's mercy. But the House was



in a thoroughly vindictive humour. It would receive no apology. It was not even content with expelling the offender. It fined him in a sum of 500 marks. Having stripped him practically of his possessions, it sentenced him indefinitely to the Tower, for he was only released when the Parliament itself was dissolved. This was indeed an exceptional case; Hall's long prosing speeches had bored the House, before his questionable behaviour in the affair of Smalley had seriously offended it. In the social life within St. Stephen's precincts, the Grantham member had further irritated his colleagues by parading his private acquaintance with William Cecil, Lord Burghley; his punishment by the House was probably, therefore, cumulative—not only for conduct unworthy of a gentleman, but for the unpardonable sin of exceptionable unpopularity. The right of expulsion had been first implicitly claimed by the House, so early as 1558, the year of Elizabeth's Accession; it was then debated at great length, whether a fraudulent outlaw ought not to be ousted from St. Stephen's at once. A year or two after the affair of Hall, in 1585, a Dr. Pary M.P. had denounced as cruel a Bill punishing Jesuits with death; Pary was at once, without warning, arrested; his apology being considered inadequate, he was voted no longer a member of the House.\*

While thus tightening its hand over its own unruly members, the House asserted its rights as against the general public. In 1586, a courier named Bland, was brought to the Bar, on the charge of language disrespectful to the Chamber; the offence proved to be ludicrously petty; Bland pleaded poverty and was dismissed with a fine of twenty shillings. This extreme sensitiveness to its rights, conduced as little to the real strength of the House of Commons, as to its popularity.

Another privilege more really important than any of those

\* *Hallam's Constitutional Hist.*, I., 372. See footnote suggesting alternative versions of this case.

already reviewed, had been for the first time successfully asserted under the Tudors. Till now, all questions of doubtful or contested elections, had been determined in Chancery. Under Mary and Elizabeth the decision was transferred from a Law Court to the House of Commons itself. Mary was still on the Throne when a committee of the House, after enquiring into the matter, reported that Prebendary Alexander Nowell, elected for a Cornish constituency, having already a voice in the Convocation House, cannot be a member of the House of Commons. A fresh writ was therefore issued for returning another member in Nowell's place. Under Elizabeth, in 1586, this right of the House of Commons was more pointedly exercised at the risk of a serious rupture with the Crown. Some of the returns for the county of Norfolk had been disputed; the House of Commons was taking cognizance of the business, when the Speaker was instructed by the Queen to signify her displeasure at the interference of her Commons with matters only belonging to the charge and office of the Lord Chancellor. The House, however, proceeded with the appointment of its committee to examine the Norfolk returns. The members who, by that committee, were reported duly elected, took their seats. A vote was passed denying the competence of Chancellor and Judges to interfere in parliamentary elections.

Nor, on the eve of the Stuart period, were the Commons less pertinacious in securing themselves against trespass on their rights by the peers, than against encroachments on their privileges by the Crown, or by its great officers of State. Francis Bacon, though not fanatically attached to representative institutions, had, as we have already seen, risked the Crown's displeasure by maintaining the Commons' exclusive right to originate Money Bills. Six years before Elizabeth's death, the Commons presented to the Lords a strongly worded protest against messages received at the Bar

by the Peers, without uncovering or rising from their places. Followed a conference between the two Chambers, in the course of which the Peers proved themselves innocent of any violation of parliamentary etiquette as regards mere messages from the Commons. When, however, Bills were brought up from the Lower to the Upper House, the Chancellor was shown invariably to leave the Woolsack,\* and with the rest to, bareheaded, welcome the Commons.

The organization in the manner now described of the House of Commons by itself, had its critics and even opponents among the courtiers sitting in St. Stephen's. At a later period the temptation of the people's representatives has been to flatter the constituencies. The besetting weakness of the Tudor M.Ps. was to play the sycophant to the Crown. Some of these, especially under Elizabeth, were betrayed into misrepresenting law, in fact in the hope of winning the Royal favour. From such weakness, Francis Bacon was not exempt. Another foremost member of the Elizabethan St. Stephen's, the accomplished, the chivalrous, Sir Walter Raleigh, presented a conspicuous instance of the weakness. Of that, his speech in the Monopolies Debate has already afforded proof. From his words, upon other occasions, might be constructed a systematic justification on the part of the Commons to the Crown. "The bonds of subjects (by which the context shows Raleigh to mean the entire House of Commons) should always be wrought out of iron; the bonds of Kings unto subjects, but with cobwebs."† On the other hand, the House of Commons under the Tudors never lacked men who, like Sir John Fortescue and Elizabeth's own Secretary of State, Sir Thomas Smith, defined in language

\* This large cushion of wool, covered with red cloth first under the Tudors in Elizabeth's reign, seems to have formed the seat in the House of Lords of "The Keeper of the Queen's Conscience," and to have been introduced in commemoration of an Act forbidding the exportation of wool, then the staple industry of the country.

† *Raleigh's Dedication of his Prerogative of Parliaments.* Hallam, I., 377.

very different from Raleigh's, the relations between Crown and subjects, as the latter were represented at St. Stephen's. Onslow, Speaker of Elizabeth's House of Commons in 1566 and also her Solicitor-General, plainly told the Queen in the Parliament House, that although there be for the Prince provided many princely prerogatives and royalties, yet it is not such as the Prince can take money, or other things as he will, at his own pleasure without order, but quietly to suffer his subjects to enjoy their own.

Before entirely leaving the Elizabethan period, one or two other features in the life of the House of Commons during it, may be touched upon. That Queen Elizabeth's method of dealing with the Assembly was that of an exacting woman in the management of her private household may be inferred from what has already been said. It was not, however, enough for her to lecture her Commons on the enormity of touching subjects too high for them, such as the succession or Church ritual. In the spirit of the schoolmistress, the Sovereign at one time reprimands certain members for speaking too loud or too low, or for moving restlessly in their seats in a manner likely to distract attention from subjects of debate, interesting to the Crown. At another time, this mother of her people, apropos of a Bill commended by her against luxury in domestic life, delivers some very personal words to the M.Ps. against the vanity of overdressing themselves or their families. Than the personal terms on which the Queen associated with the Lower House, nothing could be better calculated to convey a true idea of Elizabeth as a woman.

Than the tone of House of Commons oratory, there could be no more vivid or faithful illustration of the intellectual taste or literary temper of upper class England, during the sixteenth century. Mr. Aglionby was one of the borough members for Warwick—an Eton and Cambridge scholar who

had spent three years after taking his degree in making the grand tour ; he knew by heart the ways and phrases of the finest and most cultured Society of his day ; he was at home in every capital and every Court, from the Seine to the Dardanelles. The subject before the House in the thirteenth year of Elizabeth was a bill for enforcing Sunday churchgoing in orthodox sabbatical costume. The topic naturally gave an opening for some incidental attacks on Romish oratories, private or public ; Aglionby, coming of an old Catholic family, though himself a conforming Anglican, but not a Court lawyer on his promotion, had a good word to say for the old faith and its observances ; he was far too much of a man of the world ; his religious philosophy was far too cosmopolitan to let him inflict theological arguments on a secular assembly, which he knows in its collective capacity above all things, piques itself on being abreast of the literature, the learning and the scholarship of the Renaissance. How, therefore, does Aglionby prove his case in favour of the permissibility of the Catholic toleration. Not by testimonies collected from the Fathers, or by conventional generalities about the English or human right to freedom of faith and worship ; but out of Plato, his "Laws" in the original Greek and out of the more copious, because more generally intelligible extracts from analogous treatises by Cicero. Lactantius, Firmianus and other more familiar authors are cited, whether for the purpose of strengthening Mr. Aglionby's argument, or of impressing the Assembly with Mr. Aglionby's knowledge. It was indeed the fashion of the House at this time to frame its speeches on social subjects much in the same way as school-boys, a century or so later, were taught to write their essays—first the thesis, then the proofs, finally, the application. There could be no better instance of this parliamentary method, than the account of a Bill against usury, contained in the Journals of the House for 1571. One of the speakers, a

Chancery Lawyer and Benchers at Lincoln's Inn, Mr. Clarke, M.P. for Taunton, glanced at the legal aspect of the matter; he then, discovering the canon law on the subject to be abolished and the Statute law to say nothing, fell back upon Aristotle, Plato, on the Psalter as given in the Vulgate, on Beza, Bellarmine and one or two more, to make out his case for the measure. "If Aristotle had said, men persist in making money, naturally barren greed, they must be punished by being degraded into slaves." Plato declared, "to exact interest on a loan to be the same thing as to kill a man." To a like effect had spoken St. Augustine; while the Psalmist specially stigmatizes the man who lends his money on interest, as unfit to dwell in the Divine Tabernacle. These speeches struck the keynote of the tone of the debate; the country gentlemen were especially strong against usurers, whom they compared to slanderizers and to murderers. The eloquence and invective of the squires decided the debate; the Bill was referred to a committee.

The Elizabethan Journals of the House of Commons contain conclusive evidence of the social value now attaching to the affix of M.P. In 1571, Thomas Long, ranking as a gentleman, was returned for the borough of Westbury, in Wiltshire. He soon revealed himself to be a very simple man, quite unfit to serve in St. Stephen's Chapel. "How," the Speaker privately asked him, "came he to be elected?" Long at once confessed he had given Anthony Garland, Mayor of Westbury, and Watts, a solicitor of the same place, four pounds as the price of his seat. The House at once debated this outrage on its morality, with the result that Watts and Garland were ordered to repay Long his four sovereigns, that a fine of twenty pounds for the Queen's use was imposed on the inhabitants of Westbury. Watts himself was relieved of further attendance at the House and discharged.\*

\* *Parliamentary Hist.* I., 766; which seems to render it doubtful whether full effect was actually given to these penal votes.

## CHAPTER IX.

THE HOUSE AND THE STUARTS: OPENING OF THE  
QUARREL.

Elizabeth's farewell to the House of Commons, as showing the secret of her power over it—Elizabeth, not less than the House itself, really representative of the nation—The acquiescence by the Commons in their treatment by the Queen generally a proof of their wisdom and of their reflection of feeling in the constituencies—Increased importance of borough M.P.s. and distinction reflected by them on the House, *e.g.*, by Sir E. Coke and F. Bacon—Opening of the Stuart period, general observations, special signs and incidents, *e.g.*, the Buckinghamshire election, Goodwin, Fortescue, Commons and Crown—James I. on the whole duty of English electors—Rise of popular party at St. Stephen's—Its leaders, Hakewill, Yelverton, etc., contrasted and described—Early intermediaries between Court and Commons, Bacon and Coke, personally contrasted—Growth of new commercial interests in St. Stephen's—Home and foreign trade, the Turkey interest—Private history of the rising at St. Stephen's against impositions—Personal and general forces represented at St. Stephen's, special relations of James I. with the popular leaders of St. Stephen's—The Stuart indifference to the House of Commons explained—General views of James I. not in themselves unreasonable—Popular feeling towards House of Commons not necessarily altogether favourable—Seventeenth century ill-humours of the House; its savagery towards Floyd—The rage for delation and impeachment at St. Stephen's, Mompesson, etc.—Bacon's impeachment not chiefly promoted by Coke—House of Commons as social corrupter of House of Lords—Peers and their manners—Special importance of James I., A.D. 1621, House of Commons—Final differences between the House and James—The Session followed by long vacation—Correspondence between Speaker and King—The "Twal Kings" at Newmarket—Archbishop Abbot's shooting expedition and what came of it.

"THOUGH you have had, and may have, many Princes, more mighty and wise, sitting in this seat, yet you never had, or shall have, any that will be more careful and loving." So

ended Elizabeth's last address to the House of Commons, in that session of 1601, which had been marked by her surrender of monopolies. The words not only form a fitting close of the Queen's connection with her people's representatives; they aptly suggest one of the secrets of her ascendancy over both Commons and country. Elizabeth's caprices and extravagances were themselves modes of despotism; the exercise of her authority had been often arbitrary, always undisguised; the daily instruments of her policy had been dissimulation and craft. At the same time, she had always shown frankness and tact in acknowledging and retracing false steps; amid her imperious waywardness and habitual guile, her devotion to the welfare of her people had always been genuine and manifest. These qualities, and the national successes which had waited on them, secured for Elizabeth the affection, as well as admiration, of her people. The House of Commons never showed itself more closely in sympathy with those who could represent it than in the not undignified good humour with which it seldom failed to bear the wayward treatment of the great and capricious Queen. Like all the great Tudor princes, Elizabeth was admitted, by the nation's representatives at St. Stephen's, to share with themselves the prerogative and faculty of interpreting and guiding the popular mind. The existence of such an understanding between the Crown and the Commons practically guaranteed the nation, under the Tudors, against the outburst of rivalry between the monarchical and democratic principle that was to fill the whole period of the Stuarts.

At the beginning of the seventeenth century, constitutional or parliamentary sovereignty was not expected by the Commons. It would not have been understood by the country. Under the broad unwritten conditions already explained the Tudor Houses of Commons had acquiesced in a despotism, not the less real because it was benevolent and tactful. Bacon.



the two Burleighs, Knollys, Raleigh and Walsingham are specimens of the Elizabethan statesmen who moulded the policy and who influenced the votes of the Popular Chamber. Each of these ministers exercised authority with the Commons, because he was personally acceptable to the Crown. It was not, therefore, any novelty in the Royal pretensions to control a representative body, which caused the Commons to rise against the Stuarts. The struggle between Elizabeth's successors on the Throne and their advisers at Westminster began when, and ended as it did, because the later Sovereigns were not content to enjoy their prerogative on the terms acquiesced in by the earlier. The logic of facts had ever been accepted by the Tudors; from the first it was ignored, resisted; denied or defied by the Stuarts. Of the changes which the seventeenth century brought, the most unmistakable and the most organic was the transfer to the Commons of an authority hitherto wielded by the Crown. At the beginning of the Tudor Dynasty the House of Commons had sued and petitioned. The Crown had granted or refused. At its close, these parts were exactly reversed. Hereafter the House of Commons votes, decrees. The Sovereign submits, or, at his peril, dissents or postpones.

The Stuarts have been called usurpers. According to the strict law of hereditary descent, they were. But the title by which James I. wore the Crown was the national will, expressed and confirmed by the Houses at Westminster; such, too, was the right by which, in 1399, the monarchy of the Plantagenets gave way to that of Lancaster, and by which, in 1485, the Tudors dispossessed the Yorkists. A statute, passed in the 35th year of his reign, empowered Henry VIII. to dispose of the succession by his last will. Such a testament actually had been executed by him; it settled the Crown, in default of issue of his children, upon the descendants of his younger sister, Mary, Duchess of Suffolk, in priority to the

descendants of the Scotch Queen, Margaret. Some doubt, however, existed as to whether this document, according to the express requirement of the law, had been signed by Henry with his own hand. The Royal bequest was therefore, with the national approval, set aside by Parliament in favour of Mary Stuart's son by Darnley, already known as James VI. of Scotland. Without a single dissentient voice on Elizabeth's death, in 1603, this prince became her successor. Considerations of personal consistency, if not of self-respect, might therefore have led his subjects at St. Stephen's, and in the country, to expect more than ordinary regard for their wishes and interests from a Sovereign, who owed his Crown to the will of a people, confirmed by its representatives at Westminster. The dominantly secular temper of the elective Chamber at this time prevents its being correctly described as a Puritan Assembly. The first idea of the House was the exercise of its own authority over, and the reduction to parliamentary discipline of, all religious bodies receiving State recognition. The Tudor compromise, however, had long shown signs of giving way. The Dissenters, as Puritans were now beginning to be called, formed a very powerful, earnest, and active minority at St. Stephen's; thus at this period the Commons was popularly regarded as a Puritan body.

In his Scotch kingdom James, without success or dignity, had just been engaged in a quarrel with the form of Puritanism accepted by the Scotch, that Presbytery which, in his own words, "agreed with monarchy as well as did the devil with God." His failure north of the Tweed to put down Presbyterianism had produced in the King a temper that did not promise harmonious co-operation with a Puritan House of Commons on the Thames. James had left the Scotch for the English capital immediately after Elizabeth's death. His coronation took place on the Feast of the Saint, his namesake, July 25, 1603.

The demise of the Crown had dissolved Parliament; it seemed doubtful when the new House of Commons would be able to meet. London had just been visited by a deadly epidemic; already 30,000 persons had died.

The whole metropolitan area was still infected. The assembling of the Houses had now become a social as well as a political event. The beginning of the session at Westminster meant the opening of the season in fashionable London. The capital was not yet safe for members of the House of Commons and their families. Sanitary considerations suggested, therefore, the convening of the Estates elsewhere than in London. The dislocation of arrangements and business threatened by such a change rendered it impracticable. It became necessary to wait till the metropolis was free from disease. The Commons, therefore, were not summoned to Westminster till the spring of the next year, 1604. Meanwhile, the general election approached. The new King took the opportunity of instructing, by proclamation, the electors how to choose their representatives. These monitions were framed in excellent and entertaining English; the step itself was ill-omened and unconstitutional. The national need and the personal duty of returning to St. Stephen's men of sufficiency and responsibility, of good behaviour and of adequate means; the rejection of bankrupts and outlaws, because men whose folly or crime had placed themselves beyond legal protection could not decently or profitably make laws for others. These were the chief points insisted upon by the new King in his first address to his people. The same sort of electoral warning had been administered on his accession by a Tudor predecessor of James; Edward VI., in terms scarcely less didactic than those used by the first Stuart, had directed his subjects, for shire knights or town burgesses, to return only men of sufficiency of discretion and of good repute. The vapid generalities of which Edward's proclamation consisted

made it practically harmless. The political platitudes employed by James were always cleverly, often amusingly, put ; they involved, however, an unconstitutional breach of the privileges of the House ; the electors were told not only how to vote, but to make all election returns to the Court of Chancery. To order this was, in effect, to ignore and to cancel the special decisions of the Commons under Elizabeth, when the House had incurred the Queen's displeasure, by declaring itself to be a legal Court of Record ; as such, independent of any law court, and vested with the exclusive control of its own proceedings and members, of all which concerned them, and especially with the right of deciding cases of disputed election.

When the House actually met, in his opening address to the Commons, the King left nothing unsaid which might make good his claim to the title already bestowed upon him, by the Duc de Sully, "the wisest fool in Christendom." The description exactly fitted the facts. Intellectually, the abilities of James, like those of nearly all his dynasty, were much above the average. For himself he had improved them by his studies under George Buchanan, the first scholar and the best teacher of his time ; though with his genuine classical culture, James had imbibed an astonishing amount of pretentious and wearisome pedantry. Even to-day this speech from the Throne is as literature, both excellent and entertaining. It is a polished, eloquent, and learned specimen of the allusive English, loaded with quotations and conceits, which pleased the intellectual taste of that period, and which was likely to impress the cultured members of the House with their Sovereign's command of metaphors, of diction, and of classical tags. No sooner had it pleased God, said the King, "to lighten His hand and relent the violence of this devouring angel against the poor people of this city," than His Majesty called a Parliament. The enthusiasm of the nation on his accession had overwhelmed him. "All sorts rid and ran, nay,

rather flew, to meet me, their eyes flaming nothing but sparkles of affection, their mouths and tongues uttering nothing but sounds of joy ; their hands, feet, and all the rest of their members, in their gestures discovering a passionate longing, an earnestness to meet and embrace their new Sovereign." Lapsing into Scripture, the King adopted the Psalmist's question in the Latin of the Vulgate, "*Quid ergo retribuam ?*" He would, however, try and control his overpowering emotions, because it was natural for him to dislike a tongue too smooth and diligent in paying creditors with lip payment and verbal thanks, in place of more substantial sort of coin. As to the general prospect on which his reign opened, James hoped for a continuance of peace and of that grace towards himself, as towards a second David, which prompted his biblical prototype to believe that God, who preserved him from the devouring jaws of the bear and the lion, would deliver all enemies into his hand, and would grant him victory over the uncircumcized Philistine. None of the blessings showered by Heaven on the son of Jesse would be wanting to the son of Mary Stuart. The English and Scotch Crowns were now in James' person united, as in his ancestor, Henry VII., had been united the Roses of Lancaster and York ; what God hath conjoined, let not man separate. "I," continued James, "am the husband ; the whole island is my lawful wife." Then followed talk, equally pedantic and ridiculous, about the spear of Bellona and the wedding-ring of Astrea. After this the Sovereign goes back to the Scriptures ; "for himself he is a political Paul or Apollos, who will vainly plant or water, if God give not the increase." Having sucked the milk of God's truth with the milk of his nurse, James proceeded to state the Divine estimate of the various forms of religious faith then known to the land. The true religion was already by law established ; as for the so-called Catholics, they are truly Papists. The Dissenters, called by him Puritans and Novelists, were composed of

"wicked men, impatient to suffer any superiority that make their sects insufferable in a well-governed commonwealth." The rest of this inaugural sermon from the Throne at St Stephen's consists of elaborate comparisons between the first Stuart King and the best princes of the sacred House of Judah.

The keynote thus sounded by the Sovereign, was loyally taken up in his reply by the Speaker, who laboured to show himself inferior only to his Royal master in the study of Holy Writ and in familiarity with schoolboy classics. As the supreme and all-powerful King of Heaven has created man to govern His works, so He had deputed terrestrial Kings to govern men ; not as stepfathers, but as true and tender fathers by descent of nature. Except that the King of England was a man, he must be to his subjects, as a god. Lords and Commons both had some power, but that was ordinary, while the King's power was and must be absolute. The Speaker, who thus expressed the views of the House on the relations between the monarchy of the Universe and of England, was named Phelips. According to the prescribed form of those days, he had on his election to the Chair, prayed to be excused ; to that end he had appealed to the Sovereign. James would not hear of Sir E. Phelips' unfitness for the office, for which he had been chosen, and begged him to continue his disquisition on things in general. This he did, in periods that occupy many pages of the Commons' Journals. The general effect produced on the modern reader by the stilted and canting dialogue between the Chairman of the House and the King of the Land, is that of an extraordinary instance of the amœbean competition, known as capping verses.

After these preliminary courtesies between Sovereign and Speaker, began the duel, to which the Crown was now bent on challenging the Commons. Few counties have parliamentary associations so interesting and important as belong

to Buckinghamshire. "The parliamentary constitution of England," said Disraeli, "was born in the bosom of the Chiltern Hills; as to this day our career is terminated among its hundreds." For Buckinghamshire, in the first Parliament of James, had been elected, as member, Sir Francis Godwin. The Clerk of the Crown refused the return, on the ground that as both bankrupt and outlaw he came within the prohibitions set forth in the King's opening proclamation. Upon this step followed, in the Lower House, a scene, which seemed a presage of the coming struggle between the two principles, whose collision rings through all the House of Commons' history in the Stuart period. A second writ was issued for Buckingham county; Sir John Fortescue was returned. The Chamber had now to decide between the rival claimants, each, in due form, elected to the Buckinghamshire seat. Followed an entire series of committees of the House, investigating the matter. During weeks, and even months, the stream of communications between Whitehall and St. Stephen's, generally in motion during the reign of James, now flowed with fresh volume. Few House of Commons debates during this session failed to furnish fresh proof of the increasing activity and ability of the borough members, who at this period brought themselves up to the point of social consideration and of parliamentary influence, long since reached by the shire knights. Conspicuous among these borough members was a Devonshire merchant, named Dellbridge. As member for Exeter he distinguished himself by resisting any tendency of the Peers to encroach upon the rights of the Commons, not less jealously than he opposed the pretensions of the King; he affords also the first instance of a private member actively concerning himself in foreign policy. Other borough members, with whom Dellbridge habitually acted, were Serjeant Ashley, Mallory and Sir Edward Sandys. These formed a little party of their own; they had all travelled in foreign parts, especially

in the east of Europe ; at St. Stephen's they specially charged themselves with the duty of acquainting the House as to the nature of British interests in these parts and the right way of securing them. The debates at St. Stephen's now first became lessons in contemporary history, on events outside the four seas, as well as within the United Kingdom.

In the negotiations between the Commons and the King, caused by the Buckinghamshire election, a prominent part was taken by another borough member of historic memory. This was Sir Edward, afterwards Lord, Coke, Francis Bacon's greatest rival and bitterest enemy. Coke had most of Bacon's faults, unredeemed by Bacon's intellectual virtues ; Coke's mind was as narrow as his rival's was broad ; Coke's moral character had few amiable traits. Half brute, half pedant, he first bullied and finally betrayed his brother member of St. Stephen's, the lovable and accomplished Sir Walter Raleigh ; he was punished by becoming the object of loathing in the House and execration in the country. Bacon's rise to office and eminence had been as slow as Coke's had been rapid. Both men were immediately indebted for their advancement, less to their own great abilities, than to the timely help of courtiers or to the patronage of the Crown. As regards intellectual or political honesty, the superiority perhaps rests with Coke ; that lawyer's respect for the power and jurisdiction of Parliament and of the House of Commons as its most essential portion, seems to have been sincere. When he found James finally bent upon governing against or without St. Stephen's, and on giving the Bishops a place in its councils, above the people's representatives, Coke gradually joined himself to the Opposition. A certain affectation of piety has been a mannerism with great lawyers at all periods. It was Lord Chancellor Eldon who, during the debates on George III.'s incapacity, publicly said : " If I forget my King, may my God forget me." In the same way the professional bully of the



Bench, Bar, and Commons, during the debates arising out of James' ideas of prerogative, when now an old man, rose from his seat, knelt down on the floor of the House, imploring all to say after him the Collect for King James and his children, adding, in a voice choked with sobs, "and defend them from their cruel enemies." Upon Coke's advice about the Buckinghamshire seat James seemed generally to have acted. In the House of Commons the discussion naturally digressed from Goodwin's return to the King's Proclamation against the election of such persons at the beginning of his reign.

As to outlawry being a bar to a seat at St. Stephen's, the popular speakers disposed by precedent of that plea. A certain John Killegree, it was pointed out, having fifty outlawries returned against him, and Sir William Harecourt with a record of eighteen, were both admitted to serve.\* Against this it was argued that to admit outlaws and breakers of law into the law-making body was contrary, not only to law, but to reason itself. After some days of weary wrangling, of mostly verbal hair-splitting, the Commons decided that Goodwin was lawfully returned for Buckinghamshire and should be allowed to take his seat. The controversy did not end with that vote. More Committees sat, investigated, reported. In these later discussions Francis Bacon, as a private member of great weight, took part. Meanwhile, privately, the King had conferred with the judges about the Buckinghamshire election. After great pressure Bacon was induced to give some account of what had passed at the interviews with the King. "He was not," he said, "one of Herod's flatterers; he would not, therefore, say the King's voice was that, not of a man, but of a god, but only that it was the voice of God in man." Even that modified adaptation of the Scriptural words did not command the assent of St. Stephen's. The King had suggested to the Commons a conference with the Lords or with the Judges.

\* *Parliamentary Hist.*, I., 1002.

At first the Commons would hear of neither. The mere proposal produced a commotion in the Assembly. One county member, ranking as a courtier, at once leaped up, in silent amazement. "The Prince's command," he at last said, on finding his voice, "is like a thunderbolt; his call upon our allegiance is like the roaring of a lion"; the Speaker declared himself not intimidated, and asked the House to pass to business. Eventually the Commons consented to meet the Judges in the presence of the King and Privy Council.

By this time James begins to have misgivings; his talk of absolute sovereignty drops; he compliments the Commons almost effusively; he admits their House to be a Court of Record, and if not exclusively of Chancery, a judge of returns. Finally he suggests that the return both of Goodwin and of Fortescue should be set aside and the new writ issued. That proposal was accepted by the House. Thus was brought to an end a dispute which the Crown easily might have avoided, but which now the Commons had no reason to regret. The jurisdiction of the Lower House over its election returns was never after this again in question. As a proof that the Chamber had not yielded to any coercion from the Crown, Goodwin wrote a letter to the Speaker, expressing his voluntary concurrence in his own disqualification. By way of compensation, Goodwin, a little later, was chosen Government candidate for the borough of Buckingham, and successfully secured the seat.\*

The earlier years of the Stuart period had generated in the House a morbid sensibility to encroachments on the part of the Crown; in its relationship to its own individual members, the House could show itself ludicrously suspicious and resentful of imaginary affronts. These qualities were conspicuously embodied in a private member, who seems to have incurred the King's displeasure by refusing one of the baronetcies, in

\* *Parliamentary Hist.*, I., 1017.

which James I. traded, at the fixed rate of £1,000 for each patent. Sir Herbert Crofts, by profession a barrister, by position a country gentleman, was a contemporary and, at times, a parliamentary follower of Sir Edward Coke. Crofts had begun by espousing the cause of prerogative; his family acres were, however, as dear to him as the Royal cause; he had noted the King's encroachments, by impositions on commercial rights; what was to prevent the Monarch, if it suited him, from dealing in the same way with landed property. Crofts, therefore, was now one of the country squires, who, in self-defence, had joined the anti-courtiers; it unfortunately happened that Crofts was the one member, whom a palace servant treated with real or imaginary discourtesy. The exaggerated self-respect of the affronted member took fire at the insult; Sir Herbert Crofts had already become a ring-leader in the rising revolt against the Crown. The state of the nation generally, and especially the King's claim to purveyance and other sources of feudal revenue, produced several conferences between the two Houses. On one of these occasions, as Crofts was walking from the Lower to the Upper House, a Yeoman of the Guard, one Brian Tashe, warned off from the Peers' precinct the knight with the words, "Goodman, burgers, you come not here." Here was a clear and gross insult, not only to himself but to his whole estate, which Crofts was not the man to pocket. With as much zeal as modern members sometimes show in whipping up supporters or opponents for a motion in which they may be interested, Sir Herbert went about inducing his most influential friends in the House to take the matter up. The offending yeoman was not, as Crofts himself might have desired, committed to the Tower. The House contented itself with bringing up Tashe to the Bar, where kneeling he implored pardon and received the Speaker's reprimand on his knees.

Honour being thus satisfied in the matter of the Buckinghamshire election and of the Crofts' outrage, the House of Commons vied with the House of Lords in doing honour to the new King. By the will of Henry VIII., after Elizabeth and in default of her children, the Crown should, as already shown, have gone to the House of Suffolk. The nation undoubtedly favoured the Stuart descendants of Henry VIII.; James was therefore proclaimed Elizabeth's successor. So far, however, from his being able to plead Divine Right, James could allege no other claim but such as rested on the popular will, ratified by the Estates at Westminster.

While the Buckinghamshire election still remained in dispute, a Bill for recognizing the King's title was sent down from the Lords. So well did Secretary, Lord Robert Cecil, then sitting for his own borough of Hertford, arrange the business, that directly this measure appeared in the Lower House, knights and burgesses joyfully hastened to give it three readings at a single sitting.

The feeling of the House of Commons towards the new King remained for some time one of amused contempt, rather than of active dislike; the unconstitutional pretensions of James began by being silly and extravagant, rather than dangerous. The House has never shown itself fastidious as to the quality of a joke, nor been intolerant of personal absurdities; so far from manifesting indignation against James I., for a long time it could not make up its mind to take him seriously; his little jests, his quaint or pedantic phrases, set off by his broad Scotch accent, as yet entertained the Assembly rather than irritated it. In a courtyard, not far from the old St. Stephen's, almost on the same site as that to-day occupied by the Lords' Chamber, stood the house of the most learned and useful among the East Anglian members, the antiquary, Sir Robert Cotton; before Sir Thomas Manley, Cotton, originally a courtier, knighted by James and

reluctantly driven into opposition, kept open house for the popular party; his library supplied Pym and his colleagues with the precedents, on which they so much relied in their argument that it was the King, not the Commons, who were violating the constitution. Inside St. Stephen's, Cotton showed himself a champion of his privileges, not less earnest or consequential, and much more valuable than Sir Herbert Crofts himself; Cotton was one of the twelve members sent by the House to the King in 1620, to protest against monopolies. Cotton is responsible for the story that James when he saw the dozen Parliament men drawing near, cried out "Chairs, chairs. Here be twal Kings camin." The King's language, seldom very choice, was sometimes, upon ceremonial occasions, grossly coarse. Riding to Westminster to open Parliament in 1621, the people thronged closely round his horse; instead of the usual oaths, came from the Royal lips, repeated "God bless ye's." Some of those standing near the Sovereign thought they could hear him supplement the benediction with "A plague on you, you know what I mean." This was the occasion on which the King's horse, beginning to bound and prance, caused the Royal rider to exclaim: "The de'il i' my saul, sirrah, and you be not quiet, Ise send you to the five hundred Kings in the House of Commons; they'll quickly tame you." The proverbial description of the Stuart dispensation, a despotism tempered by epigram, has the merit of being literally true. The House of Commons traditionally shows a sense of humour beyond that of the nation which it represents. The first Stuart's absurdities procured him more tolerance at St. Stephen's than any sentiment of personal loyalty. But its readiness to laugh at or with the King did not cause the Assembly, in foreign not less than in domestic policy, to relax its hold over the executive. The patriotism of St. Stephen's, under James, was always militant and anti-Spanish. In 1604 had been

concluded between England and Spain a pacification that neither gratified English pride secured English honour, or brought with it real and enduring peace. In the Commons, under James, the commercial interest was at least as powerful and as articulate as the agricultural. These facts explain the reception given in 1607 to a petition laid by merchants before the Commons, denouncing their losses from Spanish piracy and from Spanish outrage on English persons and property. The Commons at once took up the matter warmly; by Select Committees investigated the matter thoroughly; in a full House with great ability and thoroughness, as well as with much patriotic warmth, debated the whole subject, and by an overwhelming vote urged fresh action to prevent further abuses by Ministers. As a preliminary to action, a conference between the two Houses was proposed; the House of Commons' Manager was to be Sir Francis Bacon, the House of Lords' Manager, Robert Cecil, now Lord Salisbury. Before the actual business of the meeting was discussed, the Peers, in a speech by Lord Salisbury himself, declared the intervention of the Commons in such a business to be unusual, and popular debate on an international subject to be diplomatically inconvenient and politically unprecedented. Absolute power of peace and war belonged, so ran the Peer's argument, to the King; public discussion by causing the King's designs to take wind must frustrate them. Bacon, without denying the Royal prerogative in international affairs, reminded Salisbury that there was nothing new in the present pretensions of the Commons. Under Richard II. and Henry VI. the Commons had claimed and had exercised a right of advising on matters of peace and war. The present affair particularly concerned the House, because it arose out of the wrongs suffered by merchants, and it was the business of the Commons to secure redress of grievance to every class of the community—and

especially that portion, so important in itself and of such special interest to the House, as the traders beyond seas. The records are silent on the sequel of this debate—whether Commons having successfully asserted their right to discuss foreign policy, were able to influence its conduct by giving it a more vigilant and spirited turn. According to one account, the whole of this episode was a piece of Ministerial strategy; the author of the motion was the puppet of the Government put up to speak, not so much to the House of Commons as to the Spanish Court, which it was hoped would be frightened into compensating the English merchants for the loss they had sustained.\* The mercantile interest was now about to originate discussions in the House of Commons more important than those which had already taken place, and to bring to a fresh crisis an ancient controversy between Commons and Crown. Of the seventeenth century members of the House, brought into prominence by these early differences between the Commons and the Stuarts, no figures are of more interest and importance than those of Hakewill and Yelverton. The conjunction of the two names is significant. Both men indeed belonged to the legal profession, but to very different grades of it respectively. Of short figure, ruddy and rather apoplectic countenance, Hakewill, a small tradesman's son, was a pettifogging attorney of the class that got into Parliament by the good offices of the Crown.

Among foreign enterprises, during these years, commercially the most lucrative and politically the most influential, was the Turkey or Levant Company of London; Elizabeth had given it a charter in 1579. In the first Parliament of James the Turkey interest had made itself felt. In his later Houses of Commons it commanded nearly as many votes, as in Georgian days successively were controlled by the East Indian Nabobs and by the West Indian Planters. Hakewill,

\* *Hallam's Constitutional Hist.*, I., 429.

at the very moment he was smarting under some grievance at Court, while transacting business in the City accidentally heard that a Royal emissary had demanded a duty of five shillings a hundredweight on currants from a Turkey merchant, named Bates. Hakewill at once saw this man, instigated him to refuse payment, and promised him his support in Parliament. Bates presently was sued in the Exchequer. Judgment went against him. The two judges who declared for the King, Chief Baron Fleming and Baron Clark, while pronouncing on the case, advanced views of the Royal prerogative, which in the past the Commons had explicitly rejected, and which, coming from the bench, they could not then ignore. "Sometimes" it was laid down by these judges, the Royal power, for the general profit, "might be exercised in the ordinary course." But at special seasons the Sovereign might use his authority without regard to any custom or law whatever. All customs or duties, the effects of commerce and of treaties with foreign nations, came within the King's power, not conditioned by law ; moreover, the sea-ports are the King's gates, which can be open and shut for and against whomever he pleases. All such customs as the Crown may choose to levy arise from his absolute power. Bates, therefore, was declared clearly liable in any sum His Majesty might choose to ask. The ability and eloquence shown by borough and county members in the debate, that this judgment excited in the Commons, foreshadowed the intellectual quality of the discussions on forced loans and other such Royal practices in the Commons of Charles I. The great feature in this passage of the House's history is the union (symbolized by the co-operation of Hakewill and Yelverton) of the commercial and territorial interest addressed against the King. The usual result followed. The Peers readily interposed, according to their usage during this reign, their mediatorial services between the Commons and the King.



James poured forth promises. The House was induced to vote money enough for the present emergency. The impositions and the proclamations overriding the regular laws, both went on till some ten years later, Sir Giles Mompesson, by the abuse of his patent for selling silver thread, provoked the House to revive against him its right of impeachment, first used against Lord Latimer in 1376, afterwards employed against the Duke of Suffolk in 1449, and since that time discontinued.

Of Hakewill and Yelverton, the chief promoters of the present resistance by the House of Commons to the Court, the very different personalities may be briefly contrasted. In appearance, as mean as his courage was conspicuous, Hakewill, a favourite among the citizens of the town in which his father kept a shop, was taunted with being indebted to the Sheriff's favour for his return to St. Stephen's. On the other hand, Yelverton was a man of remarkably distinguished appearance, the scion of an ancient Irish house, as well as the member of an historic and gifted race; for the Celt revealed himself in the dark complexion, the flashing eyes, as well as in the fiery spirit and in the swift imagination of Hakewill's colleague against the Court. Yelverton's legal knowledge, so valuable to the popular side during the House of Commons' struggles with James, had been acquired at the Chancery Bar.

The particular issues on which these differences arose, were the Royal proclamations overriding the regular law; the imposts on imports and exports; the monopolies to favourites, which Elizabeth, in deference to her Commons, had discontinued, but which her successor had revived. The special proclamation now resented at St. Stephen's was the Royal veto upon fresh dwelling-houses within the metropolitan area. That was a matter of personal interest to the popular Chamber. The additions to the metropolis grew

out of the popularity of the parliamentary session. James I. had not very successfully tried to check the influx into London, when the Houses met, of shire knights and town burgesses with their families. There should at least be no houses to receive the unwelcome visitors when they came.

The impositions were a grievance against which, from its earliest days, the House had periodically protested. If not with success, still with persistence, these complaints had been made under Edward III. against the maletorts or unjust exactions upon wool. In the reign of Richard II., the House actually abolished impositions of every kind. Under a King so grasping as Henry VII. and so despotic as Henry VIII., the Court made no attempt to cancel the triumph already won by the Commons. But in 1557, Mary Tudor set duties first upon English cloths sent beyond seas, afterwards on French wines imported to England. The present debate closed with the inscription on its journals of the House's condemnation of all duties or customs, save those in due order, sanctioned by the King and the Estates. Whether, with respect to its legislative sterility, or the miscarriage of the Royal expedients for eliciting money from the Commons, this House of 1614 does not belie its nickname of the "Addled Parliament." The King had called it for his second Parliament in the early Spring as a means of obtaining prompt supplies. The hints for its management, long since given by Bacon, in his most courtierlike mood and by other councillors, had been acted upon by the King. Bacon indeed had declared from his place in St. Stephen's, that no one would be insane enough to "undertake" for the Commons of England. The Sovereign, in his Speech from the Throne, had said, he never was so base as to call or rely on any such persons. None the less, the "undertakers" in the House of 1614, were as conspicuous a feature as the "King's friends" in the House of Commons of George III.

Soon after the reign had begun, in a memorable document, presently to be mentioned in more detail, the House had enumerated its historic rights and privileges, against which the new King had, in effect from the first day of his reign, declared war. Feelings, deeper and more inspiring than those which merely secular politics could call forth, were now being enlisted on behalf of the Commons against the Crown. Protestantism has been described as a republican religion. The Geneva Reformers, among the greatest spiritual forces of this part of the seventeenth century, were generally in favour of a democratic form of Church Government by Presbyters or their equivalents instead of by Bishops. At St. Stephen's, as has been seen, the popular party was largely Puritan or Nonconformist in matters of faith. Its leaders had, on the platform, communicated to the crowd much of that anti-monarchical feeling, which themselves had caught from the pulpit. A new political party was thus organizing itself on the basis of a religious creed. The King's prerogatives were declared to be of Divine right. The liberties of the people were similarly consecrated by association with superhuman origin and sanction. The Divine Right of the King was already, by way of counterblast, calling into play the Divine Right of the House of Commons.

Shortly before the session of 1614, a certain Doctor of Law, by name Cowell, had done the popular party the greatest service which an individual could confer, by formulating the creed of royal absolutism in terms well calculated to call forth in equal degrees resentment of the Commons and the country. Nothing therefore could be more effectively timed for intensifying the spiritual sentiment, which had long added force and fervour to the popular cause. The Primate, Bancroft, had conceived and tried to pursue a policy not less ambitious than that of Becket himself. The King had generally favoured these pretensions of the Arch-

bishop. By doing so, he had entirely lost some of his instruments in the House of Commons, such as Sir Edward Coke ; he had sorely strained the fidelity of others, such as Bacon. Appropriately enough, therefore, to the Archbishop of Canterbury had been inscribed by its author, the aforementioned Cowell, a book, which, within handy compass and in terms as extravagant as they were unmistakable, had defined from the absolutist point of view the relations between Crown and Commons. The Law Dictionary, called the *Interpreter*, appeared in 1610. Under the heading King, the author or compiler had said "he is above the law by his absolute power, and though he do admit the free estates under the Council, this is not of constraint, but of his own benignity." Hakewill and Yelverton were called into fresh activity, and at once brought this language to the attention of the House in which they still had seats. The wisest and most influential men among the Peers were in agreement with the Commons. A conference of the Houses was easily arranged. Francis Bacon acted as manager for the Commons.

Bacon's intervention on such an occasion, and in such an interest, suggests that his views on the results of the rivalry between Crown and Commons must have undergone a serious modification since his speech in the Monopolies debate under Elizabeth. Cowell's views of kingship scarcely went beyond the ideas once expressed in more sober language by Bacon himself. But knowledge of the English temper had mellowed and modified his political philosophy. Bacon indeed, not altogether happily for himself, had been born into the Court. After the usage of those times, he had consorted with great people before he had left the nursery. Grotius, two years Bacon's junior, had, in his earliest boyhood, been the pupil and friend of Scaliger ; had gone in the train of the State's General Ambassador to Henry IV. at an age when most of his contemporaries were playing peg-top. Life was shorter

in these ages than it has since become; clever boys were, therefore, pushed forward more quickly. On the strength of having arranged an ambassador's shoe-buckle, small boys received brevet-rank as men of the world. Hence the son of Lord Keeper, Sir Nicholas Bacon, whose effigy in St. Paul's Crypt remains one of the few Cathedral relics that survived the Fire, was indebted less to the precocity of his talents than to the opportunities of his family for being sent to Trinity, Cambridge, under Whitgift, when little more than twelve, and subsequently for becoming one of the Ancients of Gray's Inn, before the first down had appeared on his upper lip. At Cambridge, Bacon made friends whom he retained in the House of Commons and throughout his life. Those who knew him best on the Cam, and in the House, regarded as an affectation his early rejection of the method pursued by Aristotle and the school-men. The air of superiority which had amused his Cambridge friends at first irritated rather than impressed the House, which saw in Bacon a young barrister, who eked out his slender professional earnings by his pen, and who had come to St. Stephen's, first for Malcombe Regis, 1584, later for Liverpool, only to push his own fortunes. As a lad, Bacon had been attached to the British Ambassador in France, Sir Amyas Paulet. His manner throughout life bore the trace of these early experiences. At a time, when foreigners were not more popular in England than the Scots in the suite of James, the French veneer discovered by some in Bacon was not likely to recommend him either to the House or his powerful relative, Cecil. Three or four years before Cowell's book brought about the conference now mentioned between the two Houses, Bacon, June, 1607, had been appointed Solicitor-General. During the "Addled Parliament" of 1614, he advised the House, as Attorney-General, which he had become in the October of the previous year. For that higher office, as Solicitor-General in 1610, Bacon, at the time of the Cowell

incident, was on his promotion ; he no longer, indeed, spoke in that spirit which, at an earlier day had inspired his attack upon the Crown's repeated demand for subsidies ; " the gentlemen must sell their plate, the farmers their brass pots, ere this will be paid ; and for us, we are here to search the wounds of this realm, and not to skin them over "—such had been some of the words which, in 1593, had irritated Elizabeth, and undoubtedly delayed Bacon's official rise, but had gained the speaker a reputation for independence, which eventually, perhaps, was not to his disadvantage. Under James, however, Bacon was betrayed into no such outbursts ; he had ceased to be distrusted by the Court, without forfeiting the confidence of the popular party. In the Cowell affair, and all the negotiations he conducted, the Solicitor-General was complimented by both sides on his courage and tact. After frequent discussions, separately by the two Chambers, many interviews between them and several communications with Robert Cecil, as Lord Salisbury, representing the King, Cowell's volume, condemned by the popular House, was suppressed by proclamation. At St. Stephen's ensued a scene, for which the latest parallel was the enthusiasm to which the House surrendered itself when it had secured from Elizabeth the abolition of Monopolies.

In 1612 died, as Lord Salisbury, Robert Cecil. Some years had passed since he had filled a seat in the House of Commons ; to the last he accurately informed himself of the temper of the Assembly ; he was probably the one man with the knowledge and courage likely to advise his Royal master. Two years later followed the general elections. The " Undertakers " had promised James a majority in the constituencies, as well as unlimited supplies from St. Stephen's. Their failure in the House was now to be followed by discomfiture in the country. Everywhere elections went against the King. Among the men now returned were 300 entirely new

members. These comprised John Eliot for St. Germans, John Pym for Calne, Thomas Wentworth for Yorkshire.

With the Chamber thus constituted, the modern history of St. Stephen's may be said to begin. The House chosen in 1614, if not really the first, was, beyond comparison, the most popular which had ever sat at Westminster; its doings excited throughout the land the same sort of attention; the details of its divisions were enquired after with the same intensity of personal interest which have waited upon the records of the Chamber in our own days. The crowds collected in Palace Yard to see the members go into their Council Hall, anticipated in their eagerness and numbers the outside concourse assembled at critical or interesting seasons of the Victorian era. When the necessary subsidies were not constitutionally forthcoming, James fell back upon his benevolences and loans. These stretches of prerogative helped and stimulated the House to organize itself for further resistance, not less than it was encouraged to do so by the King's prohibitions against its discussion of his foreign, pro-Catholic, and pro-Spanish policy.

In two very different points,—at the beginning of his career under Elizabeth and during its later development under James,—continuously, in fact, till his fall and impeachment by the House, in which he had once sat,—Bacon may be said to have shown an unbroken consistency. In ecclesiastical politics, notwithstanding his severely Calvinistic training by his mother, the daughter of the Reformer, Sir Anthony Cook, Bacon, sycophantic to the despotism of power, never bent to the despotism of opinion. His letter to Queen Elizabeth on the best way of checking the Catholic interest abroad is pervaded by a tone of spiritual and intellectual detachment from religious partizanship of any kind. From this paper, and from his few excellent speeches on the subject in the House of Commons, Bacon's opinion on matters of Church polity

seems to have been pretty much the same as those of Hooker. Detestation of the falsehood of extremes is common to both men, and renders each not more intolerant of a Nonconformity which, talking of equality, aimed at ascendancy. The Nonconformist controversialists who struggle for supremacy are described as perfect, but for two small wants, knowledge and love. Such, he adds, and not my lord bishops, are the true successors of the Diotrephees, who loved to have the pre-eminence, rather than equality, than of Roman tyranny itself.

The other point, in which Bacon remained the same throughout his life, was the personal foppishness that had impressed the House of Commons when he rose to make his maiden speech. In 1606 Bacon had married a well-looking, well-to-do young lady, Alice Barnham, and had worn at the wedding a complete suit of the very finest purple, set off with cloth of silver and gold. So pleased was he with this costume as subsequently to show himself in it to the House of Commons.

As to the King's relations with the House of Commons, the advice given by Bacon (some of Bacon's advice was excellent), "let the King make it, as his first object, to retrench expenses, personal or official; let him then have no thought of evading or outwitting the House of Commons; rather let him look on it, not so much as a necessity, but as an unique and most precious means for uniting Crown with the nation; of showing how Englishmen honour their King and how the King trusts his subjects." In fine, deal with the House like a King, frankly and nobly, not suspiciously like a huckster. Don't fear the House, don't pack it; use all adroitness and firmness of nature in managing it; keep unruly people in place; don't meddle, let nature work; when you call the House to sit, pretend you don't want money, but only to ask its advice about national policy. James I., however, would not be taught; his later views as to the House of Commons are



those frankly expressed to the Spanish Ambassador, Gondomar. He wondered that his ancestors let the House of Commons exist. For himself, he put up with what he found in being, and what he could not get rid of.

Bacon was, no doubt, largely responsible for the "Undertakers," who completed the King's failure with his Commons. But evidently Bacon's original idea for managing the Assembly had been, by a less clumsy method to deal with the lawyers, in whom the Court rightly saw the backbone of the Opposition; after these, and to some extent through these, the King was encouraged to think he might control the country gentlemen and merchants, who increasingly dominated the Assembly. This counsel scarcely can have been altogether sincere, and was so short-sighted, as coming from so shrewd a man as this author, as to seem astonishing. The advice must have been prompted by two motives, one of them characteristic of Bacon's besetting vanity, and the other of the pettiness which was the blemish of his intellect. To impress the Sovereign and his courtiers with a sense of his clever resourcefulness, and at the same time to vent his reasonable ill-temper for neglect against his relative, Robert Cecil, Lord Salisbury, were the ideas uppermost, as House of Commons' adviser, in Bacon's mind. If the Lower House had been so far unmanageable, it was Cecil's fault. Only let the King trust to Bacon and all would be well. While Bacon's rival and enemy, Coke, had by this time thrown in his lot with the Royal Malcontents of St. Stephen's, defections were going on from the King's earlier opponents in the House. Yelverton had been won over to the Court; Dudley Digges vied with Mompesson and Neville in bidding for its favour by acting as its tool. Neville was probably the most astute and typical of seventeenth century Parliament men, ever undecided between King and Commons, always on the watch for some profitable occasion for dividing between the two his

loyalty to an Assembly of which, as a member, he seemed to be half ashamed, and to a Sovereign, of whom, as a subject, he appeared to be altogether afraid. Under Elizabeth rumours of complicity in the Essex rebellion nearly brought him to the block. Henceforth he had resolved he would not carry the spirit of treason beyond the safe limits of intrigue.

In contrast to these parliamentary time-servers, generated by the conditions of the age, as naturally and as numerous as on certain soils the fungi after rain, must be mentioned, Robert Cecil, the first Lord Salisbury, son of William Cecil, Lord Burleigh, already described in these pages, and reputed by his contemporaries the greatest and gravest statesman in Christendom. Cold and cynical alike as a politician and in private life, Robert Cecil went into the House of Commons first as member for his own county, Hertford, secondly for Westminster City, directly after he left St. John's College, Cambridge. At St. Stephen's his manner and speech were tinged with those qualities of bitterness and wit against which his father had warned him. He was, therefore, never popular in the Assembly. He, however, understood the House thoroughly; he is the first of English public men who, in 1605, carried, as Lord Salisbury, to another place, that practical acquaintance with the Lower House which, at a later day proved useful to the fourteenth Lord Derby and to Lord Beaconsfield. As a member of the Upper House, Robert Cecil did not cease his advice to the King about his dealings with the Lower. Humour the House, he in effect said, in everything that touched its pride and tenacity of privilege; never attempt to protect anyone who incurs its displeasure for want of respect.

But James from the first had determined to take no counsel save such as suited his own set temper. As early as 1604—the year of the Hampton Court Conference—the King at one and the same time had declared war against the Evan-

gelical in the Church and the independent in the Commons. The House accepted the challenge, practically given it by the King in a document that fitly records the whole incident. This paper was prepared by a Committee of the House for deliberation under the title of a form of apology and satisfaction.

In language, historical rather than controversial, the vindication sets forth the constitutional position now secured by the popular Chamber, and neither formally nor practically denied to it by His Majesty's most despotic predecessors. James is assured that ill-advisers misinform him on several important points; thus it is untrue that the privileges of the Commons are not of right, but of grace only; that the Commons are no Court of Record,\* nor competent to command new records; that to returns of the writs of knights and burgesses belong to the Chancery and not to the Commons, assertions tending directly to overthrow the fundamental privilege of our House, and therein of the whole Commons of England, enjoyed under a long line of Kings. As a fact, the highest standing Court in the land, either for dignity or authority, cannot enter into competition with the High Court of Parliament, seeing that it receives from other Courts neither laws nor orders. Contrary to their expectations under the new King, not only their privileges, but the whole freedom of the realm had been "hewed" from the popular House. The prerogative of princes may easily, and do daily, grow. The privileges of the subjects are, for the most part, at an everlasting stand. Wherefore, let the King be assured that no human being, King or any other, is able, apart from the Estates at Westminster, to alter or to regulate religion. If this document was never placed by the Speaker in the hands

\* Courts of Record are those whose proceedings enrolled on parchment, are held complete and authoritative in and so to prove themselves. The right to fine for contempt and examine on oath also belongs to these courts.

of James, its purport was well-known to him ; it also had the effect of kindling to white heat popular feeling out-of-doors, as well as of rallying and organizing in St. Stephen's a country opposition to the Court.

Conscious of his abilities, which were considerable ; vain of his kingcraft, which was absurd, James's acknowledgment of this document at least proved him to lack any real understanding of human character or of the political spirit of his age. Notwithstanding the efforts of Francis Bacon to advance the measure at St. Stephen's, James's favourite Bill for a parliamentary union between England and Scotland dragged. For obstructing that measure the King rated and threatened the Commons in language which only moved the amused contempt of St. Stephen's. He would, he told the House, live alternately in England and Scotland, or keep his Court at York ; wherefore let them remember that he was their King, that he was placed in power to govern them and to answer for their errors. Above all, let not the Commons forget that their Sovereign was a man of flesh and blood, with passions and affections as other men. Above all, let them not so far move him to do that which his power might tempt him unto. All this to the Commons sounded not only ridiculous, but, as it was, absolutely false.

As regards the Union Bill, the House, never in action so fearless of the Sovereign in words, had expelled Sir Christopher Piggott, a well-known West of England member, for factiously thwarting the measure and for speaking disrespectfully of the Scotch nation, then not much more popular than it was afterwards in the days of Lord Bute. As a fact, the Union Bill was not pressed at St. Stephen's. In the second year of his reign James took the title of King of Great Britain. Bacon, not then a law officer of the Crown, but still on his promotion, at the request of the Lower House, drew up a remarkably well-written proclamation on the subject.

Thus at the beginning of the struggle between the Stuarts and the Commons national feeling was visibly on the side of the Popular Chamber ; the Commons right to discuss and control the domestic and Imperial policy of the Government reasonable men no longer disputed ; the House had further strengthened itself by reviving misuse, the formidable weapon of parliamentary impeachment. The first instance of the Commons solemnly accusing a man at the Bar of the Lords was that of Lord Latimer, 1376. In 1449 came the case of the Duke of Suffolk. Under James I. the most famous impeachments by the Commons were those of the Monopolist, Sir Giles Mompesson, and of Bacon, when Lord Chancellor, to be noticed hereafter. More than by any special agencies like these was the House now irresistibly strengthened by its old and close alliance with the territorial interest, as well as by its growing identification with the new commercial interests, which, when Elizabeth began, were powers in the land. The mere names of its more conspicuous members already mentioned were proofs that the House attracted to itself the best contemporary intellect and culture in every rank of life.

Now was about to take place an incident which showed the House of Commons to be capable of eliciting an enthusiasm to itself, not devoid of those spiritual elements which animated the nation in its feeling towards the Sovereign or the Church. This was the incident of Cowell's *Interpreter*, which has already been described.

During three centuries the Crown, if seldom inspiring enthusiasm, upon the whole had been accepted as the symbol and the guarantee of national unity. That popular sentiment the House of Commons seemed now likely to share with the King. As yet the Assembly was not divided into factions, or even in the modern sense of the word, into parties. Every day increased the vigilance and energy with which its duties, as the protector of every class and interest in the

community, were performed. Every day, since a Stuart had worn the Crown, might portend a Royal attack on the commonwealth, on the whole, or some vital portion of it. In Israel of old, David, the human ancestor of the Deliverer of Mankind, a man after the Divine Heart, before he himself came to the Throne, had honoured, as the Lord's anointed, the wearer of a Crown, Saul, even when his personal enemy. On the other hand, the Jewish monarchy opened the period of national decadence; the Hebrew Crown had been wrung from a reluctant Deity, rather than granted, with any special promise of blessing.

Under British kingship since the Tudors the condition of the people had gone from bad to worse. Arable land was still being changed into pasture. Public spaces were being closed in. The aristocracy were indifferent to the sufferings of their poor dependents. The ruler had ceased to be the father of his people, who looked for relief rather to the predatory guidance of "Captain Pouch," the seventeenth century successor of the fourteenth century Jack Straw. Thus the popular ear was readily lent to the democratic Church reformers who, from Geneva and Zurich, brought back schemes of churches without Bishops. By a sanction, as distinctly supra-human as any which prelacy or monarchy could claim, democratic politics, civil and religious, now dared to compete with those more exclusive systems, which were now denied every recommendation save that of antiquity. Thus the elected of the people were now manifestly established as rivals to the anointed of the Lord. Everyone realized this fact except James himself. Was it, therefore, a case to which might be applied the trite, but terrible words, *Quem Deus vult perdere, prius dementat*? Was the first Stuart the victim of a judicial blindness, like that to which Pharaoh of old had been given over? The facts admit of an explanation, far less melodramatic, much more simple and historical.

In those days, as a patient and acute observer of historical phenomena has pointed out,\* Monarchy was the working principle of the State. The period, indeed, was transitional. Allegiance was divided between the competitive principles of authority and liberty, of monarchical power and of popular right. The King, however, being in actual possession, had the traditional nine points in his favour. Precedents, the sanctions and traditions of centuries; above all, the support in popular feeling secured by these, justified kingship in considering itself the legal constitutional principle. To-day the Crown is the ceremonial, the House of Commons the real part of the constitution. To that state of things Englishmen are so habituated as scarcely to be able to conceive that in the seventeenth century the Throne was the reality; that the House of Commons was the form—that, in a word, monarchy, not of the limited, ambiguous, theoretical or sentimental kind known in these later days, but as an active, genuine, and initiative force, formed the constitutional government. If charters or documents of any kind contravened this principle of State, such opposition was deadened and nullified by the living, triumphant, and crushing power of seventeenth century kingship. What, asks the writer to whom reference is now made, constitutes, in matters of State, authentic and energising prescription, but a long course of acknowledged and admitted acts of power, a standard formed, a tone of feeling created and sustained, a certain impregnation of the whole political atmosphere; in a word, the action of uniform precedent, settling and establishing monarchy (as under other conditions it may settle and establish democracy)? To Englishmen, whose political history does not go further back than the settlement of 1688, the House of Commons seems not the actual, but the one possible supreme power, that by its debates and its

\* Mozley's *Essays*, I., 9, Lord Stafford.

divisions makes or unmakes dynasties and institutions, sets up one Church, pulls down another, or disestablishes or disendows all Churches alike. To James I., as to Charles I., and to their contemporary partizans, the House of Commons still seemed, as under the Plantagenets and Tudors undoubtedly it had been, an assembly of town burgesses and shire knights, meeting only on compulsion to fill the Royal purse, and, that business performed, glad and grateful to be restored to their homes. One point, already mentioned in these pages, a shrewd observer like James might, perhaps, be expected to have noticed—not only the depression under the Stuarts of the kingly and the rising of the popular principle, but the reinforcement of the latter by a dangerous ally in religious fanaticism. Not less unfortunately for themselves, than happily for the nation's liberties, the Stuarts lacked the strong instruments of rule, secured by Plantagenets and Tudors. James I. and Charles I. (the two reigns constitute a single period) had none of the quick insight by which kings have so often supplied and neutralized their own administrative defects by administrative capacity in others. Under the earlier King, the rule of the Bishops alternated with the rule of the favourites. Carr, the comely courtier on whom James doted, made his patron ridiculous as he was himself contemptible. George Villiers, Duke of Buckingham, only thought how he could control the Sovereign; he troubled no more about the nation than if it had not existed. Both these Stuarts knew, as well as did Cromwell himself, the real issue to be between monarchy and republicanism. James I. and Charles I. erred in persuading themselves that traditional dread of the latter would make the country put up with everything rather than forfeit the former. James I., as we have already seen, had found it difficult to take the House of Commons seriously. As for the body of his subjects, he reflected above all things they were a law-abiding people. The judges on the circuits at West-



minster, as personifications of justice and equity, must, he thought, impress the national mind with a sense of dignity and antiquity more likely to overawe than any qualities shown by the popular representatives in a Chamber, allotted to them only, almost within the memory then of men still living. And whether over the inviolability of their own and their servants persons, or the sanctity of their returns, these modern Commons were perpetually quarrelling with the venerable judges, and, to the national inconvenience, blocking the paths of legal administration. True, the King was a despot. Might not, however, the despotism of one man be an alternative preferable to the sanguinary inquisitions of five or six hundred at St. Stephen's? At the very moment when the Westminster M.Ps. were protesting against the King's invasion of their own and their constituents' rights, these champions of popular liberties were sentencing an honest citizen to barbarities which could not have been inflicted by law. A certain Roman Catholic gentleman, Edward Floyd, lay in the Fleet Prison, under a charge of using language disrespectful to the Elector Palatine and his wife. The Law Courts had declined to notice the alleged offence. The Commons therefore took it up with a questionably legal allegation to themselves, of supreme judicial and punitive power. After a trial worse than a farce, Floyd was adjudged by the House incapable to bear arms as a gentleman, to be held as an infamous person, incapable of giving testimony in any court or cause; he was condemned to ride on horseback with his face to the horse's tail, with the tail in his hand, from the Fleet to Cheapside; there to stand two hours in the pillory; to be branded in the forehead with the letter K; to ride four days afterwards in the same manner to Westminster, there to stand two hours more in the pillory, with a paper in his hat setting forth his offence; then to be whipped at the cart's tail, from the Fleet to Westminster Hall; to pay a fine of £5,000; then to be imprisoned in Newgate

for the rest of his life. The whipping seemed to be remitted. The rest of the sentence was carried out. The spectators of the infamous sufferings of the wretched man may well have prayed, as openly they did, from all such friends of the people at Westminster, "Good Lord deliver us!" The House of Commons at the time of this incident was in one of its Protestant frenzies, mad against the King, less because he overrode law by proclamations and regular taxation by impositions, than because he placed his veto upon a war with Popish Spain. When, therefore, the politicians at St. Stephen's appealed to their constituents to strengthen their hands against the divine right of Kings, the nations may well have shrunk from too passive a submission to the divine right of the House of Commons. The loyalty to the Crown of the English people was, moreover, of the sanguine kind. They had seen or read of many Kings first withstanding the will of their people, expressed by Westminster representatives, then gradually, in the long run, recognising it, and finally settling down into rulers hereafter to be spoken of as of happy memory. After all, in this day of confused councils, of perplexing ambitions, and of competitive intrigues, all equally unscrupulous, the English Crown was the most intelligible and tested institution which the country possessed. Was it wise to destroy it or to render it impracticable for the sake of a new-fangled power, which had no doubt often done good work before, which might do it again, but which, after all, was terribly liable to be carried by its own vindictive humours and intemperate convictions into sins against those principles of justice, of truth, and mercy, that it denounced the Sovereign for disregarding. Few members were more representative of their era, as well as of the constituencies generally, than Sir Edward Sandys, a notable figure in nearly every House that sat during the second half of the reign. Sandys was a man of territorial, as well as parliamentary, influence, and personally

popular with the borough and county members at St. Stephen's. Sandys had, however, the greatest difficulty in rallying the House to the cry of free speech, which he had such good reason to sound; he failed entirely to keep actively alive the indignation of the House against proclamations or against impositions or monopolies. The Commons were satisfied by simply protesting against proclamations, and, in the case of monopolies, by the impeachment of Mompesson. Such seems the most plausible explanation of the unflinching resolution shown by the first Stuart to press on the war against the House of Commons. Infatuated that decision may have been. It was pursued with a thoroughness which at least redeems James from a charge of cowardice. Public opinion, whether expressed in or out of the House of Commons, never at least had any terrors for James. One more effort; the House was to be roused by one of its own members, Calvert, making for the recognition of its rights by the King. This member, brought up in courts from his youth, passed, during his manhood, for one of the best-mannered men in Europe. He was, however, a staunch, convinced parliamentarian. On December 18, 1621, he obtained the consent of the House to a protest, duly inscribed in its Journals, declaring the liberties, franchises, privileges, jurisdictions of Parliament, and of the citizens who make parliaments, to be the ancient and undoubted inheritance of the subjects of England. This document was, in effect, a later edition of that earlier vindication, produced shortly after the King's accession and already described. It was received by James with rather less ceremony than he awarded to the earlier paper, and provoked him to severer reprisals upon those concerned and upon its composition. The King had expected a subsidy.\* In place of

\* A subsidy was four shillings in the pound on real property; two and eightpence on personal estates of £3 and over. Aliens and those who had not taken the oath of supremacy were liable to pay double these amounts.

that the Commons placed this latest statement of their grievances in his hands. James replied, first, by declaring the House dissolved; secondly, by sending to the Tower Calvert, who had drafted the document, Sir Edward Coke, now a popular leader. John Pym, who now first appears in the House of Commons, and Sir Robert Philips, were committed to other prisons; while Sir Dudley Digges, who had fairly boxed the compass of political profession—had begun as a courtier, had then turned people's friend, after that rejoined the courtiers—was now finally a colleague of Pym, and who is entitled to rank as of all public men of his day, the most clever, the most astute, the most resourceful, and the most unscrupulous, was banished to Ireland. A day or two later His Majesty sent for the Journal of the House; with his own hand he erased the entry of the complaint. The course of the bickerings and recriminations between King and Commons, of which this reign chiefly consisted, was broken towards its close by a close alliance of the hereditary with the popular Chamber against the Sovereign.

In earlier days the Barons had reinforced themselves against the Crown by calling in the town burgesses and shire knights. A somewhat similar union of the two orders, though instituted in a different way, closely preceded the final rupture between the Crown and its parliamentary estates.

Several Peers now protested against the Crown's treatment of the imprisoned members of the Lower House. Essex, Oxford, Southampton, Warwick are the chief titles among those who now combined with the Commons in opposition to the Court. With the Hereditary Chamber this work is not concerned. The more exclusive leaders of that House had already complained of its being socially corrupted by the frequent communications with the Commons that occurred during this reign. Thus was explained a personal altercation between two noble lords, the Earl of Berkshire and Baron

Scroop, each of whom accused the other of having pushed him violently against the wall, so as to compel him to act vigorously on the defensive. Both were at first punished by confinement to separate rooms in Westminster Palace, were then publicly reprimanded by the Lord Chancellor. Each seems, after a fashion, to have made his amends. But one at least was punished by a short imprisonment in the Fleet. "That he would soon have his belly full of impeachments" was the homely warning administered by James to his son Prince Charles, when the latter, to please Buckingham, pressed for proceedings against Lord Treasurer Middlesex. The prosecution of Sir Giles Mompesson, instigated by the Commons in its most virtuous mood, was followed by like measures being meted out to Sir Francis Mitchell, charged with complicity with Mompesson, and by the arraignment of other public men, chiefly high legal officials, happily for themselves, as the experience of Floyde may have reminded them, not members of the House of Commons, or even special offenders against its religious convictions or prejudices. The proceedings against Bacon, if originating in the Lower, belong rather to the annals of the Upper House, or to the general history of the time, and of the man. James showed a creditable appreciation of genius by intervening to remit the money fine imposed on the mightiest intellect of the time. The attack on Bacon is sometimes said to have been instigated by his rival and enemy, Coke. These references to the institution of the proceedings, in the Journals of the House of Commons, are exceptionally full. They contain nothing to suggest that the first step had been taken by Coke, who, as a fact, at no stage seems to have moved prominently in this business.

Some of the popular leaders, the chiefs of that opposition to the King, which was already beginning to be called the country party, as we have already seen, had seats at St.

Stephen's during the second Parliament of James I. (this is the House of Commons known by the nickname of "Addled," from the confusions of the period); it refused supplies till it had dealt with the King's imposition of customs. John Pym, for the first time, and several of his other members, were imprisoned; finally it was dissolved almost without the opportunity of legislation. In 1621, the third, House of Commons of James, not only Pym, but all his other most famous colleagues in the popular cause, seem to have had a place. The special feature of that session of the House was the organization of the opposition upon a religious or Protestant basis, as well as the continued assertion of its right to discuss all matters of home and foreign policy, even though some of these arose out of the family affairs of the Sovereign. James, following as he thought an Elizabethan precedent, had peremptorily forbidden the legislators at St. Stephen's to discuss the negotiations pending for the marriage of his son, the future Charles I., with the Infanta of Spain, or to make any remarks whatever upon the foreign princes with whom His Majesty had relations, or upon his Bishops at home and their Church policy. The House, so far from accepting these corrections of the Crown, once more proceeded to assert its right to debate every subject, domestic or foreign, of national interest, especially anything that concerned the national Church or the marriage alliances of the reigning family. It also protested against the relaxation of the Lords in the interest of the Roman Church, and asked for the repeal of certain statutes, recently penned by the King for the relief of Papists. These incidents were followed by letters between the King, Speaker, and the Commons—the former roundly reprimanding the Lower House for its ingratitude and impertinence, the latter assuring and reassuring the Sovereign of the unchangeable love and loyalty of his Commons, and entreating him not to be misled by partial reports of their proceedings, circulated for the express purpose

of injuring them with the Court. Then followed the long vacation. The King went to Newmarket. John Pym was one of the deputation of M.Ps. sent to lay before the Throne some of the papers belonging to this epistolary series. That was the occasion on which occurred the incident already mentioned—the King's mock courteous reception of Pym and his friends, with the Royal remarks in broad Scotch about the "twal Kings." Hurried though at last had been the dismissal of James I.'s fourth House of Commons, its members did not separate before individually and collectively they had bound themselves by a vow to devote their lives and fortunes to the protection of the Protestant Religion, as by law established. During the same long vacation as that marked by the Newmarket visit, happened an event, employed by courtiers in and out of the House of Commons to draw the parliamentary scent off the great questions then dividing Crown and Commons. Archbishop Abbot, theologically at one time a Calvinist, but in private life a keen sportsman, visiting at Bramshill Park, Hampshire, killed a game-keeper when aiming at a buck; he was tried and acquitted on the charge of accidental homicide. The affair, however, gave a new turn to the discussions and speculations of the moment—whether Anglican Prelates and the inferior Clergy should hunt, in short, was the question agitated in political and ecclesiastical circles, almost to the exclusion of the graver problems awaiting settlement.

## CHAPTER X.

## "PERSONAL ASPECTS OF THE STUART OPPOSITION."

School and college days of future leaders of the House of Commons' Opposition to the Stuarts, Eliot, Pym, Hampden, Marten—Differences in personal appearance, in taste, between these and in their Oxford influences on their House of Commons' style—Eliot, the orator—Pym, the practical common-sense debater, but all saturated with Biblical reading, shown in their daily phrase and action—Eliot as county gentleman, as House of Commons man of business and Speaker—His influence on later speaking at St. Stephen's—Selden, Vane—The Petition of Right in the House; its scenes and incidents—Parliamentary reporting before reporters—Effect of Pym's speeches on the country and how they were known—Eliot and Pym as House of Commons' leaders contrasted—The Opposition "Club" at Sir Robert Cotton's House—The social and political organization of the House of Commons' opposition to the Court—Electioneering on the eve of the Long Parliament—Rise of Parliament out of Session, development by Pym of Parliamentary Petition as a political art—Importance of Vane's appearance as colleague of Pym and Hampden during the Long Parliament—Elections in the constituencies.

DURING the last of the sixteenth or the earlier years of the seventeenth century, the men, thereafter to lead the House of Commons in the struggle with the Stuarts, were undergraduates at Oxford together. John Eliot, of a family, Cornish by settlement, Devonian in its origin, had entered as a gentleman-commoner at Exeter, in the same term that Pym, from his Somersetshire home, Brymore near Bridgewater, had come up to Pembroke, then known as Broad Gates Hall. John Hampden belonged to the best set at Magdalen. The Hall, some few years later, was to receive the younger Harry Vane. Henry Marten, nearly their contemporary, seems to have migrated from one college to another. Of this



group, the two most interesting, as also the most important, were the students that came respectively from Somersetshire and Cornwall.

Differing widely from each other in intellect, character and tastes, Eliot and Pym presented also a marked contrast in personal appearance as well. The fair complexion, the light and abundant hair, the large, powerful, loosely-knit frame showed Pym to be of Anglo-Saxon or Teutonic stock. A broad, pleasant face was surmounted by a high forehead, ended in a chin well-shaped, rather than strong, with a sensuous mouth. Altogether a comely rather than like Eliot's, an intellectual countenance. The first impression produced by John Eliot's portraits, is that of resemblance to Charles I. The dark, deeply-set eyes, with their expression, alternately brilliant and dreamy, and the olive complexion were those of the Celt; from prehistoric times there had been a Celtic colony in Western England; from its Cornish division the Eliots were undoubtedly sprung. The temper, half militant, half mystical; the religion, always ready to pass from faith into fanaticism; the union of a glowing imagination with a cool brain; in a word the combination of the speculative enthusiast and the practical reformer. These qualities of the man were the gifts less of family than of race. Home life confirmed rather than corrected faults of natural temper. Eliot's parents were fondly and foolishly indulgent. His quick, undisciplined temper involved young Eliot in a quarrel with a certain Moyle; the incident was raked up years afterwards to injure him with the King; he was even taunted with it by Charles himself. More than any of his future colleagues, contemporary with him at Oxford, Eliot made his Oxford studies an instrument to parliamentary success; as a speaker, he took Tacitus for his model; his English, however, was racy and idiomatic, entirely free from the pedantic complications of the Elizabethan school. His

maiden speech at St. Stephen's, as member for Newport, Cornwall, showed that he had read Latin and Greek, not as lessons, but as literature. His attacks upon Buckingham in the first House of Charles I. reminded many, who heard them, of Cicero's *Philippics*; his later invectives against the Government for shrinking from war in defence of European Protestantism sometimes glowed with Demosthenic fire. Before the close of his first session, Eliot proved himself exactly to understand the taste and temper of the seventeenth century House of Commons; he had, in fact, made himself the best debater of his day; after Thomas Wentworth, the future Lord Strafford, he could sometimes show himself its greatest orator. The audience at St. Stephen's had become thoroughly wearied of the rhetorical ornaments, of the purple patches of Greek and Latin quotation, always familiar but seldom illuminating if pertinent, of the tawdry, sesquipedalian antitheses, decorated with classical tags, which came in with Elizabeth, and were not quite gone out with James. Rudyard was more sententious than Eliot, Pym sometimes as pithy, Strafford often more impressive. For variety of qualities, all approaching to excellence, for a mastery of the plain Anglo-Saxon speech, which sums up an argument in a sentence, a debate in a paragraph, and which can rise, when occasion and the subject may require, to a loftier tone and a nobler diction, Eliot had no superior among speakers of his day.

But the school in which Eliot had most deeply studied was that of the Bible. As was the case with the other chiefs of his party, the literary, intellectual and political atmosphere in which he lived had from the first been scriptural. All these men seemed to themselves engaged in the same struggle of good against evil, of liberty and justice against oppression and wrong, as that which had once arrayed Israel against Amalek. From Oxford in 1610, Eliot

may have carried away more scholarships than did most of his friends. In the House or out of it, however, his first care was, in his own words, to use words proper to one in whom, as in St. Paul, the Creator had been pleased to reveal His Son. That which proved of the greatest service to himself and to his party was the practical knowledge of foreign politics acquired by him during his continental travels, after leaving college. It was then the fashion of young men bent on a parliamentary career to supplement the grand tour abroad by a course of legal reading at one of the Inns of Court; every one of those, whether, like Eliot, country gentlemen or not, with whom the Cornish statesman was afterwards to act, had done this. After he had been called to the Bar, having now come into his inheritance, he settled down to the life of a country gentleman on his Cornish property, soon made his mark at Quarter Sessions and in the chair of the Stannaries Committee. He was returned for Newport first in 1624; during his travels abroad, between taking his degree and entering public life, he had become personally acquainted with George Villiers, Duke of Buckingham, whose impeachment he was afterwards to lead.

Eliot, sent to Parliament in 1614, first supported Buckingham and the King; he made no mark till some five years later he joined the anti-courtiers against his former travelling acquaintance. Some time before then, he had begun to advance towards the leadership of the anti-courtiers. The series of Eliot's attacks upon Buckingham had been prefaced by a maiden speech on the international relations and responsibilities of England as the great Protestant power in Europe; the theme invited the display of the special information which it had been the object of his travels to acquire; from this topic, Eliot, by a natural transition, passed to the subject of more pressing interest—the relations of

Charles I. with the popular Chamber and the whole body of his subjects. This speech opened and helped to organize the parliamentary opposition to the King ; it made Eliot the forerunner of Pym in the acknowledged leadership of the anti-courtier party ; for such a position, Eliot possessed, apart from his mental gifts, certain personal qualities always useful to the directing spirit of a popular assembly. The quickness of his sympathies showed itself in the changing expression that played over his keenly-cut features, and the fire that flashed from his dark eyes. As yet he used no invective against King, Court or Government policy. In calm and clear language, he drew an historical contrast. First he sketched the conduct of affairs at home and abroad under Elizabeth. That Queen's statesmen administered the realm and regulated its foreign relations in a spirit of regard to the Protestant religion by law established. The statutes against Popish recusants had been enforced in England. The oppressed Protestants of Europe had learned to recognize their friend and champion in the British Government. While such was the rule of English action, the whole country was quiet and prosperous. No classes were filled with uneasy distrust of their rulers and harassed in their daily life. Since the Stuarts came in, all these maxims of procedure had been reversed. First by the negotiations for the marriage with the Infanta, the fame of Protestant England had been compromised with Spain. Next, while in France, all naval and military operations were bungled by Buckingham ; the arms of England had been used against her co-religionists. What was the result ? Discomfiture and miscarriage abroad. At home, discontent ; oppression and wrong so severe, that the people of this country had now only their miseries which they could call their own.

The national temper was one of martial indignation against the Government for its sacrifice of English interests to its

Roman Catholic friends. The well-to-do commercial borough M.Ps. believed the Stuart proclivities in Church and State reacted injuriously upon the trading interests of the country. The same conviction prevailed among an increasing number of the shire knights. To that growing sentiment, at the most telling moment, there was given by Eliot expression, the more powerful, because of the idea which his words conveyed of strength held in reserve. Only just before he sat down, did Eliot's peroration by phrase or gesture show the intensity of feeling by which he was possessed. "War," he said, "will alone secure and repair us. Out of those penalties the Papists and recusants have already incurred, let us set out a fleet." Eliot thus began as a speaker on international affairs; his interest in them was limited by their influence on domestic events. The climax, to which the House and the country were being conducted, was the criminal incompetence of Buckingham and the Crown's disloyalty to the kingdom in employing an agent so base on business so great. Presently Eliot's denunciations of Buckingham became less indirect and were more elaborately wrought. "If he compares him to Sejanus, by implication he says that I am Tiberius." So remarked Charles, whose anger had concentrated itself on the Cornish member, when Eliot adapted to the Court favourite certain passages from Juvenal and Tacitus, too familiar to need quotation here. Buckingham now thought of an expedient which might remove his chief assailant from the House. Sheriffs were supposed to be disqualified for sitting at St. Stephen's. Buckingham therefore secured the nomination to that county office of Eliot and others. If that step were directed chiefly against Eliot, it failed; the Newport electors indeed now refused him; the county to whose voters his place in the Stannaries Court made him well-known at once returned him.

In the House that met during the February of 1626, Eliot

took his place as leader on the Opposition. His popularity was shown at St. Stephen's by the cheers greeting his return after absence through imprisonment. That the afternoon might be given to the business of committees, the House at this time usually assembled for general discussion at eight in the morning. As a member of these committees, Eliot showed himself indefatigable. Unlike Pym and Hampden—both of them men of pleasure as well as of work—Eliot cared nothing for social distractions. Session after session, year after year, his whole existence was given to the House; from the date now reached to the close of his career, he took the lead in the routine business of St. Stephen's; he became the greatest authority on all points of procedure the House had yet known. The subjects now chiefly engaging the Commons were the prevalence of Arminian doctrines and of Romanizing tendencies in the Established Church. But the personal incidents rather than the historical subjects of these discussions, are what is of most interest now. The debates of 1628-1629, for the first time brought prominently forward a personage more commanding and celebrated than any we have yet encountered at St. Stephen's. Some minutes before the stranger rose from his place, Hampden and Pym had introduced him to the Speaker. A man, probably not yet thirty, but in appearance more than his years; coarsely, strongly built, rather less than six feet; noticeable among other things for his ill dress, at a time when Cavaliers and Roundheads vied with each other in attention to their toilets before appearing at St. Stephen's. The ill-fitting clothes of common material seemed to have been made by a country tailor's raw apprentice. The linen was not snowy; seen in the full light it showed two or three specks of blood. While the Huntingdon member, whose name was Oliver Cromwell, had been sitting in silence, that which chiefly fixed upon him the attention of the company was the square, powerful head;

the rough strong features seemed to have been hewn out of gnarled and knotted wood; the hair approached to a coarse red colour. The whole hue of the complexion seemed the same. It was noticed that this new member played rather savagely with his sword-handle. Falkland, who was sitting not many places off, wondered, under his breath to a friend, "where the hilt might next be." After the newcomer had been presented to the Speaker, his introducers held a long conversation with their friend, no doubt on the subject of the maiden speech he was expected to deliver. In a voice, harsh, but piercingly distinct, the Speaker denounced the favour shown by the Court to divines, like Dr. Alabaster and Mainwaring, "who," said Cromwell, "had preached at St. Paul's Cross and elsewhere the duty of flat Popery in the Church, and of non-resistance in the State"; this maiden speech gained an effect from its contrast with the manner and matter of those who immediately preceded or followed the Speaker; the graceful Hampden, with his delivery, easy, colloquial, conciliatory, seemed rather to deprecate argument than to carry conviction. Sir Robert Phillips, who came next to Cromwell, was exceedingly popular in the House, and a convinced anti-courtier; he spoke, however, without earnestness, and with the air of one addressing men of the world only, as urbane and as temperate as himself. As a boy at Huntingdon Grammar School, Cromwell had been under Dr. Beard; his old master had supplied him with the names of ecclesiastics, censured for their doctrine by the House of Commons, but pardoned and selected for favour by Charles. Citing these instances in tones that reached every corner of the Assembly, Cromwell exclaimed, "If these are the steps to Church preferment, what are we to expect?" Cromwell's former head master, Dr. Beard, was now in the diocese of Winchester; the Bishop had cautioned him against criticising the High Church

tenets of Alabaster or Mainwaring ; his old pupil now moved that Beard should state his case at the Bar of the House ; the member for Huntingdon carried his motion ; a few days later Beard received the Speaker's order to be in attendance. When, on ending his maiden speech, Cromwell sat down, Phillips pointedly congratulated the House on a remarkable accession to its debating strength. Digby disparagingly whispered in Hampden's ear the epithet "Slovenly" ; "if," rejoined Hampden, "which God forbid, we come to a breach with the King, that sloven will be the greatest man in England." Robert South, the Stuart High Church preacher, some years afterwards referred to Cromwell's debut in the Commons ; he had already described Milton as the blind adder, who spat venom on the King's person. Cromwell was now Baal, a bankrupt, beggarly fellow, who entered Parliament with a torn cloak, greasy hat, and perhaps neither of them paid for. The description tickled the fancy of Charles II. who exclaimed to his friend Rochester, "Odds fish, Lorry ; we must have that man in the House of Lords." South successively received the offers of a Westminster canonry and the bishopric of Rochester.

The discussions thus originated by the committee of religion, whose sittings began in 1628, were varied by preparations for the impeachment of Buckingham, led by the Cornish member ; his part in that business had excited the personal bitterness of Charles against Eliot. Before the proceedings against Buckingham actually began, Eliot took his part in dealing with the many messages on the subject sent by the angry King to the House. Charles had already reminded the Commons that with him alone it rested to consult them or not as he found good ; he now plainly told them he would not allow any of his servants, the Duke of Buckingham or others, to be questioned by them ; their business was to hasten supply. "Else," said the Sovereign,



"it will be the worse for yourselves ; for," he added, "if any evil happen, I think I shall be the last to feel it." The impeachment of Buckingham belongs so largely to the general history of the period, that further reference to the part taken by the House of Commons in it may be dispensed with here. This was the first occasion on which Eliot and Pym seem actively to have co-operated. Of the other eight managers to whom was entrusted the prosecution, Serjeant Glanville had already distinguished himself in the House by a motion, carried against strong Court opposition, restoring representation at Westminster to two or three Buckinghamshire boroughs. Another southern county, Kent, reinforced the popular champions by Vane ; he, like the members from Cornwall and Somersetshire, belonged to the class of country gentlemen.

John Selden, the son of a Sussex yeoman, educated at Chichester Free School, alone among the Opposition chiefs, was below the order of gentry. Selden had been at Oxford while Eliot and Pym were in residence ; he began to keep his terms at the Inner Temple, while they were both eating their dinners. Eliot and Pym took up law as a help to politics ; Selden went to politics for his illustrations of law ; Selden's chambers were at the top of Paper Buildings, looking towards the gardens ; soon after he had established himself in these he resolved upon trying for a seat in St. Stephen's ; while yet young and obscure, as a guest at Sir Robert Cotton's house in Palace Yard, he had made many acquaintances among the wits, statesmen, and scholars of his day ; he dined with Ben Jonson ; his full, ready, accurate, and well-arranged knowledge won him the good opinion of a learned and clever master at Westminster School, who also frequented Cotton's rooms. This was William Camden, subsequently Westminster head master, the scholar, antiquary, and historian, who undertook, and his famous "*Britannia*" has recorded, the first

scientific survey of the British Isles.\* On his progresses through England, undertaken for this work, Selden was sometimes Camden's companion; in that capacity he first became known to the electors of Lancaster; eventually he represented the borough at St. Stephen's; in the House, Selden, by his speeches, fulfilled a function, educational rather than political; he did not aim at rousing the House or the country against the King; each of his best discourses was an epitome of legal and constitutional knowledge. These addresses, or the notes from which they were delivered, were placed in the hands of Pym; they were then printed and circulated through the rank and file of the party, as historical text-books and manuals for all who addressed the House on the questions of the hour.

Notwithstanding their eventfulness, the debates in which, after his first appearance, Eliot took the leading part, seem, as one looks back upon them, wearisome and monotonous. Charles presses for supplies; with an ill grace the House at last grants them. Secretary Cooke, fresh from the Royal presence, hurries into St. Stephen's to grasp the money; the message, instead of the cash, sent back by him to the Palace, is: "That while bursting with loyal devotion to the Crown, the Commons can vote it no money so long as the Court persists in raising money by forced loans, or by tonnage or poundage."

The closing act in the drama of the seventeenth century House of Commons, to which the incidents, already recounted, must be regarded as preliminary, was the Grand Remonstrance, passed by the Long Parliament in 1640. To that climax the debates of the House of Commons of 1628-1629, its conferences with the Lords, its communications with the King, its proceedings against the Duke of Buckingham were

\* Camden died Nov. 9, 1623, at Chislehurst, in the same house as that occupied in 1870-1 by Napoleon III., the property of the Stroud family.

progressively leading. From these deliberations at St. Stephen's, together with the activities of the popular managers elsewhere, there followed the impeachment of Buckingham and the Petition of Right; the two events, chronologically separated by two years, were politically contemporaneous; the political movement which produced them was one and the same. The impeachment of Buckingham crowned the labours of Eliot; its different stages, and its justifying causes, formed part of the general constitutional history of the period or of the transactions of the Lords, than belong specially to the story of the Commons. Buckingham, it was repeatedly elicited, in the voluminous evidence adduced by the prosecution, had shown himself not only an incapable commander by sea and on land; he had been proved incorrigibly corrupt as an administrator; he had fraudulently enriched himself out of the money for State contracts; he had received large sums from applicants for promotion in the peerage; his overthrow by the Commons was promoted by his personal quarrel with the most patrician member of that Assembly, but through personal pique, and by other purely accidental circumstances, the colleague for some time of the popular champions, Eliot and Pym. Sir Thomas Wentworth possessed certainly the most imposing presence which belonged to any member of the House of 1628; his figure, face, and bearing belonged to the highest order of patrician beauty and pride; his features, his vocal intonations, his personal manner, not less than all his social and political ideas, were those of the very principle of aristocracy, incarnate; his Yorkshire pride had been wounded by the preference over himself for high local office given to a rival county magnate of the family of Saville. Wentworth, therefore, owed the Court a grudge; not even at the very height of his short anti-courtier career did he possess any sympathy with the people or with their leaders; Wentworth entertained towards Buckingham the contemptuous

dislike that an untitled aristocrat of ancient lineage might feel for a flashy Peer, the new creature of Court favour. The Journals of St. Stephen's contain no account of memorable incidents connected with the Petition of Right, whose chief author Wentworth was; for it did little more than formulate resolutions, already repeatedly affirmed by the Lower House. Court preachers had been declaring from their pulpits that no freeman could refuse a tax or a loan without peril of damnation. The Petition affirmed that no freeman could be called upon for gift or loan, save by Act of Parliament; that no free citizen could illegally be kept in prison; that soldiers or sailors could not be billeted in private houses; and that neither sailors nor soldiers could be punished on the warrant only of martial law. Charles accepted the petition, with no intention of being bound by it, in the same spirit as a spendthrift accepts a bill for three months, with no means or purpose of paying it, but to get rid of a pressing difficulty.

It was during the discussions in the session of 1629, on the King's violations of the Petition of Right, that the House witnessed a memorable scene, of which Eliot, if not the central figure, was the cause; he had prepared a remonstrance to Charles on matters of taxation and religion. The Speaker, Sir John Finch, a creature of the King, would not, on the Royal orders, allow this document to be read, or the motion based upon it to be made; one after another the popular members were called to order, threatened with expulsion; repeatedly the Speaker ordered the House to adjourn, and himself prepared to leave the Chair; he was, however, forcibly held down in his seat; the sitting went on; Eliot, with the help of Holles, made his declaration; all this time Speaker Finch called the House and Heaven to witness that only the strong arms of Eliot's partisans kept him in the Chair against the King's commands. Amid this confusion Eliot's motion was

carried without a division; the mover, cautioning the House against the King, against Buckingham and other courtiers, addressed a few words to the enemies of the House:—"Those men who go about to break Parliaments, lest Parliaments should break them." After this he continued, "I protest, as I am a gentleman, if my fortune be ever again to meet this honourable Assembly, where I now leave off I will begin again." The opportunity never came; a little later Eliot was committed to the Tower, fell sick, at the King's orders was treated with more severity than, even in those days, usually was shown to political prisoners, died of a lung complaint, under circumstances that entitle Eliot to be considered the first martyr of the popular cause, as well as the first House of Commons speaker and leader of the modern type. Meanwhile, on this March 2nd, 1629, when Eliot had finished his speech, the House dispersed to find in Palace Yard a King's guard, stationed to intimidate or arrest its members—"the most gloomy and dismal day for England," writes Sir Simonds D'Ewes, "that had happened for five hundred years."

The House now passed almost daily motions, protesting against the loans and taxes, illegally, and, without its sanction, exacted by Royal officials. Even before Hampden's refusal to pay ship-money, a few members of the House, representing the landed and commercial interests, withstood these irregular demands of Charles for money; Chambers, Rolles, and Vassal were the first among those having seats at St. Stephen's to send away the Royal collector empty-handed from their doors; they dared not, in their own words, "violate Magna Charta to gratify the Crown." Eliot's real successor in the opposition leadership was, however, John Pym—too strong a partizan, perhaps, to be considered a great statesman, but by far the greatest master of parliamentary tactics and popular electioneering whom the House had yet pro-

duced; it had already been seen that Pym's earliest surroundings in his Somersetshire home, and in the good society affected by his family, were Royalists; for some time after he had entered the House and mingled in its debates, Pym himself adopted towards Charles, and towards his demands, the tone, less of a popular champion than of a man of fashion and pleasure, like the rest of the coterie in which he moved, predisposed for rather than against his Sovereign. This temper seems first to have been shown during the debates on the King's demand for supplies in the April of 1628; one of the innumerable Royal messages so exasperated the general sense of the House that Sir Henry Ludlow described "the man who has sent this message" as not fit to be King of England. The Speaker interrupted; while Ludlow hesitated to withdraw the expression, Pym interposed the remark, "these words contain nothing of dishonour to the King"; before Pym proceeded to show he had not forgotten his Oxford logic, by putting the matter, as he called it, syllogistically. "He, who sent this message is not worthy to be King of England, but King Charles is worthy to be King of England, therefore he did not send this message"; the ready and ingenious sophism amused the House, and rescued Ludlow from punishment. The Somersetshire squire's conciliatory council carried the House with him; the supplies wanted by the Court were voted.

The chief act of co-operation between Eliot, Selden and Pym was supplied by the long series of House of Commons incidents, leading up to and including the Petition of Right, already described. That passage in the controversy between the Commons and the Crown prominently brought forward a man who deserves to be remembered as the most popular parliamentarian among his fellows at St. Stephen's of the seventeenth century. Sir Robert Phillips, in the Opposition ranks, filled a place which may be compared to that occupied

among free-traders in the Victorian era by Thomas Bayley Potter, member for Rochdale. Phillips, in his way, was not less honestly attached to the cause than was Eliot or Pym; his predominantly genial nature disposed him, as the same temper disposed Rudyard also, to shrink from the idea of prematurely pressing the King to extremities. Phillips may now be looked back to as the earliest of those anecdotal members who have always flourished in the soil of St. Stephen's. Events, that placed others in an ill-humour, to Phillips suggested only an *apropos* story, seldom of recondite kind. Thus the practical unfruitfulness of the sessions between 1626-8 reminded Phillips of the Romans who, once a year, gave their slaves a feast, and liberty, by any words they chose, to ease their afflicted minds, but, that being over, brought back the unhappy men to their former servitude. In all the less serious cases of Royal trespass upon the House of Commons' privileges, Sir Robert Phillips, as one personally acceptable on both sides, was voted for the moment to the leadership.

In the April of 1628 Charles sent a message to the House, that it should dispense with the usual Easter Recess. Phillips at once rose to protest against this interference, in a speech full of illustrative anecdotes, which, highly entertaining to an uncritical audience, might now seem wanting in point. For full humorous effectiveness Phillips needed a butt; this he found in a Sir James Nethersole, who was made use of in much the same way as in the House of our time Mr. G. H. Whalley was employed by Mr. Bernal Osborne; the eccentric and importunate Nethersole wearied his hearers by accounts of portentous dreams that had visited him during the night; the Speaker vainly protested that it stood not with the gravity of the House to listen to such things; Nethersole was still tolerated by an assembly, bored indeed, but good-natured; he was only silenced when Phillips, in a few bright sentences,

made him feel his brother members were laughing, not with, but at him. In the same session Phillips achieved distinction as the one member whose eyes were dry, while all about him were dissolved in tears. Such, in 1626, had been the chagrin and vexation excited by the King's command to St. Stephen's not to discuss the Duke of Buckingham, that all the shire knights and town burgesses, with one accord, burst into tears; the Speaker himself led the sobbing chorus. Phillips alone remained tearless and calm; to give the Chair a chance of regaining composure, this Democritus of the House moved that it should go into Committee.

Before Eliot, during the period between 1625-8, had brought forward the first of those motions, that issued in the Petition of Right, he had more than once insisted upon the necessity of an enlarged franchise for St. Stephen's. Pym and Vane, both by nature sanguine, affected an absence of all misgivings, as the result of the struggle they foresaw between the Crown and the people. Eliot, less confident and predisposed to melancholy, at least once plainly told his friends in the House, that their first ally for success against the King must be a broader basis of popular representation. As this third House, convened by Charles, served as a full-dress rehearsal for the Long Parliament of twelve years later, so it witnessed the beginning of Eliot's pursuit to death by the Court party. Eliot's most highly-wrought, and rhetorically most effective speech, was his general attack upon Buckingham, called a prologue to the impeachment; its effect was deepened by Eliot's histrionic power, sometimes rather artificially melo-dramatic, but often very powerful; the King himself, from behind a screen, secretly witnessed and artistically admired this display. Eliot's immediate reward was imprisonment—the first of those acts that sealed the King's doom and secured the Cornish member the martyr's crown. St. Stephen's was full of excited representatives, summoned



to do the King's business ; in other words, to grant a supply. All with one accord refused till Eliot should be released. Vainly did the Speaker cry "Order, order," and remind them of the business before the House. "Sit down! Sit down! we will do nothing till we are righted in our liberties," was the only reply vouchsafed ; the sitting was shortened ; the leading members of both sides met afterwards in a corner of Westminster Hall. The next day Eliot, released from the Tower, on resuming his seat, met with the reception which proved his popularity at St. Stephen's. The Court itself knew that it had taken a false step. Even those country gentlemen who were traditionally Royalist resented the indignities placed upon so typical a specimen of their order as this Cornish knight.

Meanwhile, under Eliot's direction were sitting daily the committees of the House that prepared the Petition of Right. The chief author of that document may have been the future Lord Strafford, now Sir Thomas Wentworth, member for Yorkshire. The two men who impelled it through its different parliamentary stages were Eliot and Selden ; the latter of these, as we have seen, was the literary teacher of his party ; his utterances, collected in book form and circulated through the constituencies, educated men for the Long Parliament. The debates on the Petition were repeatedly interrupted by messages from the King ; Charles, in his own way and on his own terms, would grant the Commons substantially all they asked—let them rely on his Royal word ; proceed with the business of supply, and lose no time in adjourning thereafter. The sense of the House was against accepting this answer, or, indeed, giving the Crown any of the confidence now claimed by it. Once more Eliot and Pym were compelled to hold the Speaker down in his Chair, that the House might continue to sit. His Majesty, it was explained, would confirm the House in all its privileges, but was mightily

offended at Sir John Eliot for his general rudeness, and especially for comparing, as before mentioned, Buckingham to Sejanus. "Why," was the King's comment, "by implication the fellow calls me Tiberius." Eliot's term of ascendancy at St. Stephen's was short; but for the time it was paramount. While Eliot was on his legs no courtier could edge a word in; "well-spoken, Sir John," was the cry that punctuated the telling sentences at intervals, till the speaker sat down. The Petition had been brought in during March, 1628, the King's assent was definitely given after many evasions during June. Speaker Finch, an ex-Court official, used the forms of the House to second the tactics of the King. But for Eliot's quick perception and sleepless energy the Petition might have been indefinitely shelved; for, if personally, Finch as a courtier was mistrusted, the authority residing in his mere office might have enabled him to baffle the purpose and to frustrate the votes of the House. In due course, however, the Petition had gone up to the Lords, who sent it back to the Commons with an amendment specifically forbidding any infringement of the Royal authority. The added clause raised anew the old issues of the Royal prerogative and the King's personal credibility. The chief incident in this second series of discussions occurred on the Peers' provision for maintaining inviolate His Majesty's sovereign power. "Let us take heed," said Coke, "what we yield unto. Magna Charta is such a fellow that he will have no Sovereign." Selden and Glanville followed with displays of condensed argument and exact knowledge. The Lords pressed their clause. The declarations passed exactly in the shape in which they had first come before the House. As more noticeably was the case with the discussion on the Grand Remonstrance afterwards, so now the speeches on the Petition were addressed by Eliot and the other leaders, more to the constituencies than to the House itself. That the Crown could never be anything but an enemy to the people;

that its only defenders were the Commons at St. Stephen's, were the propositions which the Opposition from the first laboured, not always too scrupulously, to impress on the popular mind. The "new counsels" of the Stuart Monarchy were now to be shown in their irreconcilable antagonism to the religious settlement under the Tudors. The Commons, on Eliot's motion, again pledged themselves to regard innovators in religion, Romanizing and Anglican, as capital enemies to the kingdom and the commonwealth. For the last time, however, the Cornish orator was now about to be heard in the House. By this time Buckingham, indeed, had fallen by the dagger of the assassin Felton. New and not less dangerous enemies were descried by Eliot in the Bishop of Winchester and the Lord Treasurer, Weston. While these lived, Buckingham could scarcely be called dead; to such effect were Eliot's farewell words at St. Stephen's, where, after the 2nd March, 1629, he never again appeared. What remained of his career on earth was so ordered by his enemies as to secure his political canonization and to remove the last danger of miscarriage from the work that Eliot's brain and tongue had begun.

At Brymore, some six miles to the west of Bridgwater, was born, in 1584, the second great leader of the popular party, the Somersetshire squire, John Pym. In appearance, as we have already seen, as in some points of character or taste, a marked contrast to his Cornish colleague. Without Eliot's mystical turn, ascetic habits, keen literary sense and devotion to study, merely as a discipline of mind, Pym had gone up to Oxford to Pembroke College, then known as Broadgates Hall. The college days of the Somersetshire undergraduate were less industrious than those of the Cornish. The little debating society of the time discussed the rival claims of Parliament and King. Before Pym left the University he was known by his contemporaries and teachers as a keen controversialist on

the anti-courtier side ; though at first intended for the Bar, he never entered at any Inn of Court ; he went through a regular course of legal reading. Unlike Eliot, Pym knew little of any country except his own ; he had never been abroad ; he had never passed through public school or, save during his Oxford days, left his country home. Solitary life in London Chambers he found intolerable. About the same time as, together with his then friend, Thomas Wentworth, he was returned for the Wiltshire borough of Calne, Pym married a wife belonging to an old Somersetshire family, named Hooker. His mother had entreated the new member for Calne to attach himself to the Court and to avoid all those Parliament men who dared to oppose the King. His wife's associations and wishes were also strongly Royalist. All the social influences of private life were, therefore, exercised to attach Pym to the Court. Early in his London days the young Wiltshire member chanced to make the acquaintance of Sir Robert Cotton ; at his house in Palace Yard Pym found himself surrounded by influences, political and literary, which, before he had taken part in a single division at St. Stephen's, identified him with the Opposition. Like his colleagues, he was first returned to the House which met 5th April, 1614, known as the Addled Parliament ; the nick-name arose from the fact that James had called this House to grant supplies, and when it only discussed grievances, dismissed it without a single Bill being passed. This was the first occasion on which signally failed the Court attempt to manage the House by wire-pullers of the Crown ; the " King's friends " was the name given to these men under George III. ; headed by Francis Bacon and Somerset, they were called " undertakers " ; in the days of the first Stuart. Before the Addled Parliament dispersed, Pym had acquired such a parliamentary position as to be one of the twelve members sent to the King at Newmarket for the personal vindication of the privileges of the House.

The first speech by which Pym made his mark in the House was delivered during the second session, under Charles I., during the religious debate on Arminianism and Romanism among the Anglican Clergy. "I seem," said the speaker, "to see a cloud arising and threatening the Church of England; God, for his mercy, dissipate it." Pym therefore, not less than Eliot or Hampden, was in the first place urged by religious conviction to oppose the Court. Then came the first great political movement which united the adversaries of prerogative into a compact band of parliamentary champions—the impeachment of Buckingham required Pym's organizing energy and practical sympathy with middle-class English prejudices, not less than it needed Eliot's moral fervour or political subtlety to bring the offender within the statute of treason. Buckingham, while squandering the nation's money, had, by the desperate diplomatic stakes he played, gambled away English reputation for practical honesty in foreign eyes. The material, not less than the moral, interests of plain English folk called upon the House to make an example of the national culprit. Speeches at St. Stephen's, still, of course, in name unreported, were far from being unknown in the country. The private news-letters received by residents of position throughout the provinces contained accounts of whatever had made a hit at St. Stephen's. Long before the famous third House of Charles met, Pym's name was nationally familiar as that of a most effective debater on the Opposition side, as a man closely in touch with the most representative opinion in the country, and as a thoroughly practical politician, master of every move in the great game of affairs.

On the eve of the Long Parliament in 1640, Pym, accompanied by Hampden, furnished the first instance of a party leader personally reconnoitring the constituencies; it was an example to be followed with great effect by statesmen

in after ages, especially by Mr. Gladstone. Throughout the country Pym received the welcome of a popular chief and champion. The ill-feeling between Whitehall Palace and St. Stephen's Chapel had been growing acute and angry since the Buckingham proceedings and Petition of Right. On March 10th, 1629, the King came down to Westminster, seated himself on the Throne in the Painted Chamber, delivered a speech, which, primarily addressed to the Peers, was heard by a few members of the representative Chamber as well; the Commons had not, as was usual on such occasions, been summoned by the Sovereign; only a few stray members were interspersed among the lords in their robes of State. Charles, it was known, was about personally to dissolve the Parliament; he opened his remarks by saying that he had never before been in the place on so unpleasant an occasion; he would not, however, depute the business to his Ministers, because he thought it a chief part of the Royal duty, in person, to chastise vice as well as to reward virtue. To his lords belonged from him the favour and protection, owed by a good King to his loving and faithful nobility. As for the undutiful Commons, who withheld supplies, questioned the Royal right to tax, borrow, imprison at the Royal will, those "vipers" must look for their reward of punishment. This discourse was long remembered, as it is still called by the name of the "vipers speech"; it was immediately followed by the Lord Keeper's announcement of the Parliament's dissolution. So ended the last House of Commons before that which met in the Long Parliament on November 6th, 1640. Seen by the light of events, the scornful challenges, repeatedly flung by Charles to the House of Commons, have been described as acts of infatuation. Their un wisdom, indeed proved by the event, was suspected at the time by some of the more sober and far-seeing advisers of the King. As a fact, however, Charles, with some

show of reason, might have persuaded himself that, when the choice between Government by the Crown and Government by the House of Commons was sharply presented to Englishmen, they might prefer an ancient and well-tried institution like the monarchy, to the comparatively untried oligarchy of a representative Assembly, which, in its present form, was practically new. For the House, met at St. Stephen's during the early years of the seventeenth century, no more resembled the Chamber that had sat in the Chapter House than the practically elective sovereignty of Alfred and his near successors resembled the absolute kingship of the Tudors, which the Stuarts in an extreme form wished to reproduce.

The Assembly with which the King quarrelled had indisputably achieved power. Its popularity, its hold upon the nation's affection had yet to be proved. It largely consisted of wealthy, influential country-gentlemen, of prosperous, aspiring traders. It seemed in a word, likely soon to obtain, if already it had not secured, the place in the national polity, vacated by the decimation or destruction of the baronage in the Wars of the Roses. The growth of national wealth, consequent on commercial expansion at home, or maritime discovery and trade abroad, the distribution of the abbey lands among the untitled friends of the noble families, then first enriched;—these were the causes that had contributed to place the more considerable of the shire-knights and town burgesses at St. Stephen's in positions of influence, analogous to those filled by the greater and lesser nobility, before the deadly rivalry of the Two Roses. Whether the town and country capitalists, the great lawyers who their knowledge of constitutional precedent made the natural enemies of Royal encroachment, would be able to rally round them the constituencies outside St. Stephen's, may well have seemed doubtful to Charles as it was con-

sidered uncertain by Eliot himself. Many features in their recent conduct had alienated the country from the House of Commons, at least as acutely as from the King. The judicial and punitive powers claimed and exercised by it had disgusted the middle and the lower classes. Barbarities quite so gross as those inflicted by the Commons on Floyd may not have been recently repeated. The pillory and the whipping-post were still pretty freely meted out to casual offenders against the collective or individual dignity of St. Stephen's. When therefore Charles I. in effect asked his subjects to make their choice between his own hereditary sceptre and the rod of power claimed and exercised by the uncrowned kings of St. Stephen's, he had some reason for hoping the preference might be given to the sovereignty of an individual rather than to the despotism of an Assembly. Had there at this time been organized in England an effectively restraining force of public opinion, the country might have declared its Elective Chamber a superfluity. But in the House of Commons alone was embodied the only public opinion which Crown or country knew. If men were not prepared to make passive obedience the unvarying rule of their conduct towards the King's Government or the King's money collectors, short of taking up arms against their Sovereign, they had no defence for themselves, but their representatives sitting in St. Stephen's Chapel. The great mistake made by Charles was to ignore the absence of any Royalist demonstration during the electoral period of 1639, 1640, when Court candidates were imploring the constituencies to strengthen the Crown against the Commons led by Pym. If the issue could have seemed doubtful at an earlier date, that uncertainty had been removed before the meeting of the Short Parliament in the Spring of 1640.

St. Stephen's Chapel, fitted up for the Commons in 1547, had been enlarged, under James I.; further accommodation



was yet wanted. The numbers and composition of the crowd in Palace Yard, cheering well-known men as they entered Westminster Hall, proclaimed universal interest in the new session. The Speech from the Throne had the ring of a call to battle, rather than a summons to deliberation. The members were not indeed compared to vipers, as they had been when their Sovereign addressed them, eleven years earlier. Sufficiently abrupt and ungracious in themselves the Royal words were not improved by the address of the Lord-Keeper in a strain that had become obsolete under James, and that instead of amusing as it may have done some hearers, angered or disgusted all. The disused classicisms were once again reproduced; in language, indifferently borrowed from the Hebrew poets and the Latin poet of love, his Majesty was complimented on keeping his kingly resolutions in the ark of the sacred breast, which no Uzziah could be so profane as to touch; in a like vein of inflated nonsense the Commons were admonished, rather to admire the shining beams of the Royal Phœbus, than, like the son of Clymene, the presumptuous Phaeton, to aim at the guiding of the chariot. As at the hour of 8 a.m. this fustian fell from the Lord Keeper's lips, Hampden drew Pym's attention to a certain cloud intercepting the sunshine that had poured into the Painted Chamber.

These indeed were the only two survivors of the group to which the reader has been already introduced. Sir Edward Hyde, the future Clarendon, then first entered the House for Wootton-Bassett. Falkland, first returned in 1639 for Newport, Isle of Wight, had, in 1640, begun to waver in his allegiance to the popular cause; he now took his seat below the Opposition gangway. In his history, Clarendon has related how, while this ceremonial speech-making was in progress, members were recalling that since their last meeting in St. Stephen's, Eliot had succumbed to a lingering disease in

prison ; that Sir Edward Coke, the oracle, Sir Robert Cotton, the host, the historian, and Sir Robert Philips, the genial humorist of the party, had all passed away. The regular business of debate at this period was postponed till the House had been in session a few days. Hampden and Pym had now organized popular petitions as a parliamentary art. Of these documents, one after another was introduced, till at last the table of the House groaned beneath the novel load. But Pym's chief stroke of genius was in dealing not with papers but with men ; here was a mixed crowd of country gentlemen from all parts, of lawyers in every branch of the profession ; they had none of them much knowledge of public affairs, they were strangers to each other. Pym disciplined them into a compact political army, perfectly united and of irresistible strength. Hitherto these protests against the Government chiefly had come from the smaller boroughs. With a meaning smile, Pym drew Hampden's attention to the significant fact of the principal presenters of these paper rolls being county members. This preliminary business concluded, the Speaker seemed about to call on a gentleman, evidently—to judge from the greetings he had received—a favourite in the House, to explain some technical detail affecting a petition. This person was noticeable chiefly for a spare, but powerful frame, strengthened by athletic exercise and field sports, for a handsome profile, for a wealth of well-kept auburn hair, for a particularly frank and calm expression of face, and for eyes which his friends thought beamed with honesty and kindness. This was John Hampden, now in the very prime of early middle life ; he had never tried oratory in the House or out of it ; his words on the Quarter Sessions Bench were ever few and well-weighed. At St. Stephen's, Hampden's style of speaking was conversational and suggestive. Eliot had been the orator, Pym was the debater of the party ; Hampden excelled in gentle criticisms, often little more than "asides," throwing

doubt on the positive statements of opponents; he had always been a power in his own county of Buckingham, as well as its member; from the first day he had entered it, he exercised in the House a moderating, a conciliatory influence, without which the anti-courtier group scarcely could have been kept together; he had been at Magdalen College, Oxford, while Pym was a gentleman-commoner at Pembroke; the two had read law together in Temple Chambers, where Hampden was fully called to the Bar; they had, in each other's company, tasted the pleasures of the town, had often from the Temple Steps rowed the lady of their choice up the river to dine at some Thames-side tavern, close by Hampton Court. Presently Hampden made way for the portly companion at his side, who rose amid cheers to address the House. By this time, Pym was among the senior members of the House; no one had taken a more active part in awakening and in systematizing political opinion out of doors; his knowledge of national feeling at that time was unequalled; his friends knew him to have been for weeks and even months preparing the speech he intended to deliver in the House; he had therefore no sooner entered that day than cries for him were frequent and loud. His manner was perfectly calm; his voice low, but so clear as to reach every corner of the building; he had not delivered six sentences before he made a strong point—"members," he said, "had in some cases dwelt on the respect due to the convictions of the King. Did not the petitions piled on the table of the House show that convictions belonged to the King's subjects too? Did not their representatives at Westminster owe some duty to the constituents returning them? Were the prayers of the people to be ignored by the sole intercessors with the King possessed by the masses?" Here Pym pointed to the Royalist group on the Speaker's right; of that body more than one audibly answered Pym's question, by signifying with

word or gesture his obligations to the electors. "The most popular man in the country, the most powerful of any to do harm," is the description of the speaker extorted from one spectator of the scene, Clarendon. The influence of this admirably delivered two hours' speech of Pym showed itself in every corner, not only of the House, but of the country. It was from beginning to end a business-like, passionless recital of grievances sustained by every class at the hands of the King's Government, a demonstration, by exact reference to constitutional authorities, that the infliction by State Officials of such wrong upon subjects as were now sustained had always been regarded as treason to the Sovereign. Without any of the quiet, even solemn sarcasm or the occasional vivacity of phrase, so sparingly employed at times by Eliot himself; in simple, sententious English, framed after the model of no rhetorical teacher, but rather of the pithy sayings of Bacon, Pym recapitulated the King's continued violations of the Petition of Right; he exercised greater reserve than had been done at the Buckingham impeachment period, in alluding to the sinister influences behind and upon the Throne. The entire House knew that the member for Tavistock was now pointing at Thomas Wentworth, Lord Strafford, and was thrilled by an instinctive presentiment of the coming tragedy on the scaffold. Every word uttered by Pym was chosen, with an eye to its influence, through the news-writers' versions of it in the provinces. But Pym never for a moment forgot that he had first to convince and animate the House of Commons. With the House, each point immediately told. Most effectively he identified the rights of the people with the privileges of the House, violated as the latter habitually were by the King's encroachments upon the province of the Speaker in forbidding members to touch upon certain topics displeasing to the Court. The Lord Keeper had compared the King to the

orb of day enlightening the universe. Pym minutely elaborated the analogy between the mind directing the movements of the individual, and Parliament regulating the functions of the body politic in its different parts. That seems to have been a favourite simile with Pym. Eliot's illustrations of his political arguments usually had been literary; Pym's were generally scientific. The Cornish member thus, to some extent, presaged the intellectual taste at St. Stephen's to which Canning was afterwards with such brilliant effect to appeal. The Somersetshire leader on the other hand would have been more in sympathy with a later rhetorical dispensation, under which it is a sign of pedantic ill-taste for one who addresses the House to presuppose much acquaintance with the classics of school or college days, and the House rather prefers speakers who, like popular writers, draw their metaphors less from the library than from the laboratory or dissecting room.

Another touch, prophetic, as may be thought, of distinctly modern ideas may be noticed in this discourse. Pym's temper, like Cromwell's, was plainly Imperialist. Foregleams of the Greater Britain beyond seas may have flashed upon him. "What opportunities had been missed by His Majesty, not only to weaken the House of Austria and to restore the Palatinate, but to gain himself and his realm a higher pitch of power and greatness than any of his ancestors." The allusion here is to the opportunities of which pre-occupation with civil strife deprived the King of annexing a New World to his realm. The Spanish Colonies in the West Indies and beyond the Atlantic generally were so weak and discontented as to place them easily at the disposal of the 60,000 able-bodied, well-armed Englishmen existing in that part of the world.

The House of Commons, in 1629, in its anti-Catholic, anti-Arminian humour, had shown itself as intolerant of all who were not Puritans as Laud was intolerant of all who were not

Anglicans. "Blue-nosed Romanists" and "Six-Swingers" were the slang terms of abuse bestowed on religionists who dared to deviate from the standard of St. Stephen's orthodoxy. In 1629 the Peers had protested against the silencing by the Lower House of all pulpits outside those of the single religious school; the Commons resented the interference. In his present speech, Pym mentioned, as another wrong suffered by the House, the notice taken by the Lords by its religious votes. Pym's speech, while a statement of the maximum demands of the House, served also as a compendium of its claims to regulate the life and faith of the nation. These were the pretensions which Charles thought he might safely resist. This day has seen the birth of English democracy—such was in effect the verdict of an unprecedentedly impressed assemblage as Pym sat down at the close of a two-days' debate, during which the House had sat for more hours together than upon any previous occasion known.

By Pym's mouth the House was held by the Court to have proclaimed war against the King. Charles replied not only by dissolving it, but before the writs were issued by imprisoning, not Pym himself, but the Chairman of the Commons' Committee for Religion, Crew, an active and determined, but comparatively an unknown man. In a written explanation of his reason for dissolving, Pym, Hampden, and St. John were, indeed, stigmatized as the ill-affected M.Ps. who, instead of an humble and dutiful way of presenting their grievances to His Majesty, audaciously and insolently have censured not only his officers and ministers, but his very government of the State. The House, thus dismissed on May 5th, 1640, had met on the 13th of April; the session was the shortest on record; it had been preceded by the longest period without any Parliament. It was remarked at the time, that whereas at previous dissolutions the faces of sagacious men had darkened, they were serene and smiling now. Thus usually

St. John's aspect was "melancholic and black;" now he could scarcely speak to Sir Edward Hyde for merriment; "all is well; it must be worse before it is better"; the House needed to be invigorated by resort to the country.

No Parliamentary vacation's so busy and exciting had ever been known as that which followed the dismissal of the short-lived House of 1640. Neither Hampden nor Pym gave himself a fell week's repose. First, there were the constituencies finally to be organized; secondly, there were the Scotch Commissioners, with whom to arrange those matters between the two kingdoms, which Charles claimed exclusively to manage by himself. These negotiations were slowly conducted by letters; to quicken such communications the Opposition leaders placed themselves—took their holidays—at different points on the north road from London. Pym established himself as the guest of Lord Say at Broughton Castle, near Banbury. No country gentleman was at one time better known among Mr. Disraeli's supporters than Sir Rainald Knightley, of Northamptonshire; his seventeenth century ancestor married a daughter of John Hampden. The Buckinghamshire squire therefore deserted the country home he loved so fondly to pass some weeks at Fawsley. Meanwhile, at his London house in Gray's Inn Lane, near the departing point for northward bound travellers, Pym had left a staff of clerks and agents, who sent him all the news which came to his London residence.

The step now taken by the King seems to show he had given up all hope of making terms with the House. Charles thought himself strongest in the north; to York, therefore, he summoned a Council of Peers, as if to revive that authority of the Privy Council which practically had been superseded by the Commons ever since the first Lancastrian Sovereign, Henry IV. Pym rejoined by drawing up a petition to the Crown that the Houses should once more be

summoned to Westminster. Several of the Royalist Peers at York not only signed the document, but advised Charles to grant its request; 10,000 London citizens and proportionate numbers at every other town throughout the country added their names. The King now convened the Commons to St. Stephen's on November 3, 1640. Upon this, Pym and Hampden immediately started for a fresh tour through the constituencies. Two or three thousands of copies of Pym's recent speech at St. Stephen's were printed. The business of distributing these with appropriate words of commentary among electors was helped forward by the youngest of the Opposition leaders, Sir Harry Vane, the son of a Kentish knight, a high Court official from the earliest Stuart days. The younger Vane, a Westminster boy, had been at Oxford about the same time as Pym and Hazelrig. His father, Charles I.'s Lord Chamberlain, had quarrelled with his son, because the younger Vane's religion did not conform to the pattern of Court orthodoxy. The Evangelicalism of the young Sir Harry was, indeed, of a kind likely to try the patience of a discreetly devout and theologically easy-going courtier, such as Vane the elder. The young Sir Harry was the son of the most discreet and trusted official at the Court of the Stuarts, who might have been the original of Shakespeare's Polonius; the younger Vane himself, as has been said above, after a Westminster and Oxford education, had come under the influence of Puritan teachers at Geneva. He had afterwards visited New England, had served as Governor of Massachusetts; he recrossed the Atlantic to find himself a hero among the Roundheads of his native land.

In the twentieth century, a British Pro-Consul in India or in Australasia mismanages a province or alienates a colony. Amid a chorus of hisses and execrations he leaves the scene of his failures, makes the voyage to Europe, is agreeably surprised on disembarking to receive a welcome suited to one who



has just quitted the land of his triumphs. His partizans at home have been even more busy than his critics abroad. Instead of a Verres or a Warren Hastings, he is recognised by his fellow-countrymen as a philanthropist greatly misunderstood. Public opinion beyond seas is notoriously provincial, narrow and purblind. If, after the Commission inquiring into his conduct, Governor Eyre, in 1866, had arrived at Southampton, he might have left Jamaica as a criminal; before he entered the Solent he would have known he was a hero. Something of the same experience in the seventeenth century fell to the lot of Vane. The people of Boston resented his religious eccentricities as politically mischievous. The extreme Puritans, whose co-religionist he was, received Vane in England as a saint who had suffered nobly for conscience sake. Vane also belonged to an old and opulent family. That constituted a fresh claim upon democratic and Puritan consideration. The Nonconformists had irritated all the worldly sensibilities of the courtiers, who proceeded to retaliate on the Roundheads by goading them to new excesses of psalm-singing fury. The younger Vane was therefore just the colleague in the provinces and at St. Stephen's whom the Opposition wanted. With characteristic zeal he flung himself into the movement; he joined Hampden and Pym in taking the country.

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## CHAPTER XI.

## THE OPPOSITION TO CHARLES I. ORGANIZED BY PYM.

The House of Commons in the Long Parliament of 1640—General appearance of the Chamber—Names of its members familiar to modern ears—Oratorical style of its speakers characterized—Its importance as making a new era in the history of the House, not less than, as the first product of electoral organization and effort of the modern kind—Internal arrangement of the House, how differing in 1640 from those of later days—Method of parliamentary procedure—Its representative M.P.s. from different parts of England—The Long Parliament, important not more for what it did than for the men who did it—Its opening incidents of inauspicious omen to Court and King—Difficulty about a Speaker—Gardiner, the King's nominee rejected—Lenthall chosen, then unknown, but the first of a line of Speakers, who from obscure beginnings have won general praise as heaven-born—Pym, though nominally leader of the Opposition gradually becomes in effect, leader of the House.—Lord William Russell—Pym's colleague in the representation of Tavistock—Pym's other supporter characterized especially Lord Digby—Carey afterwards Lord Falkland, for whom Clarendon did what was done by Vandyke's brush for Charles I.—Falkland's person and character—Significant change in the temper of the opposition M.P.s. since the Autumn Recess—Beginning of the Long Parliament's Second Session—Pym brings a case of Sir Thomas Wentworth, now Lord Strafford, before the House—The doors locked—Pym's opening speech against Strafford—His argument to prove Strafford a foe rather than a friend of the monarchy—Dramatic contrast between the presence and character of Pym and of Strafford—Strafford's incarnation of patrician pride and privilege—His influence upon the English aristocracy—Earlier and later analogues to Strafford—Pym as representative of upper-middle-class—Pym's early misgivings as to Strafford's anti-court zeal—Debate as to procedure against Strafford—Attainder Bill voted by 204 to 59—Commons follow Pym to the Lords—Scene—Arrest—Impeachment and trial of Strafford—Remainder of Session chiefly occupied with trial preparations—The lights among the Opposition—Sir John Wray, ancestor of Sir Cecil Wray (temps Charles James Fox)—Wray's style as speaker—Effects of vote of the House against Strafford upon the cohesion of the anti-courtiers in the House—James Ussher, theo-

logian—Cromwell—Sir Edward Dering—Revolutionary M.Ps. very few in Long Parliament—General aim of the popular leaders—Specimens of popular speaking in the House—Lord Digby's motion for yearly parliaments and in a triennial bill—Other measures to subordinate Crown to Commons and debates thereon—Fear of Pym and his party, that country may rally to the King produces the Grand Remonstrance, designed as an appeal to the people against the King—The debates following its introduction by Pym—Personal scenes and incidents in them—Oliver Cromwell M.P. for Cambridge—His appearance in the House—Less known M.Ps.—Sir E. Dering of Kent as a speaker—Private history of the Five Members incident—The Queen—Lady Corbeile and Pym—"Pull these rogues out"—The City for the Commons—The Five Members triumphantly reappear at St. Stephens—Signs of approaching war—"King Pym" against King Charles—The House as it looked on the eve of war—Petitions to Pym.

"A LONG, low, ill-lit room." Between five and six hundred gentlemen crowded into it. The names of these members as well known in the Parliaments of Queen Victoria as in those of Charles I. Speeches, closely reasoned, stern of import, sometimes flavoured with an apt Greek or Latin quotation, but generally steeped exclusively in religious phraseology and thought. Such was the House of Commons that the extraordinary efforts of the Opposition leaders, latterly reinforced by Vane, had gathered at St. Stephen's in the first week of November, 1640. It was the first product of systematic electioneering, carried on at a time of national excitement, previously unknown, a political rivalry, bitter beyond precedent. The building now had taken the same form as it bore almost within the memory of men living at the present time. Architecturally it was identical with the chamber in which, a hundred years later, Pitt and Fox were to resist each other; in which, on the eve of our own Victorian era, Lord John Russell was to introduce the Reform Bill of Earl Grey—the Chamber that witnessed the beginnings of those social and political movements which followed the Grey Enfranchising Act of 1832. Inside, the arrangements of St. Stephen's Chapel, as they existed in 1640, bore some resemblance to the interior of most English churches in the

earlier and sleeping years of the Victorian era, or to a Chapel of Ease. At the north end were three tall, long windows, with semi-circular tops. Beneath these, surmounted by no canopy, but ornamented at the top by the Royal Arms of painted woodwork, stood the Speaker's Chair. In front of him, separated by a much smaller table than that used to-day, the supporters and opponents of the administration confronted each other. On either side the whole length of the Chamber ran two narrow galleries, supported by slender pillars, with a few sconces for candles projecting from each. The large candelabra suspended from the centre of the ceiling, nearly in a line with the chair, known to all in the Fox-Pitt period, was not placed there till the eighteenth century. With these exceptions, there was nothing in the Chamber that Pym and Hampden rose to address which would have been unfamiliar to Althorp and his contemporaries, or which did not survive till the old St. Stephen's Chapel itself was burnt in 1834. The costumes worn were visibly approaching towards the point in the evolution of male dress, known after the establishment of the modern constitution under William III. In consequence of dangerous streets and political heats, the member of the Stuart House of Commons wore his sword in the same way that the menace of the sky causes his twentieth century successor to carry an umbrella. Already, under James I., had been established at St. Stephen's, for the conduct of debates, much the same rules that controlled their proceedings long after the Commons were settled in their present building after the fire of 1834. The point from which starts the entire code of parliamentary procedure is the reduction into the form of a question, put from the chain of every subject coming before the Assembly ; in this shape the matter is debated, and when difference of opinion may arise, divided upon ; that was settled under James I. ; during the same reign it was laid down that, " Mr. Speaker, when he wished to speak, should be un-

interruptedly heard"; about ten years after this the Speaker was admonished not "to sway the House with argument." The Elizabethan days were not far distant, when was entered on the Journals of the House the standing rule, that "Nothing passes by order of the House without the question," and that "No such orders be without the question affirmative and negative." Foreign visitors to St. Stephen's in the eighteenth century were struck by the want of discipline among the members. As they crowded round the bar, all pressed up each other to obtain a convenient seat. The Tudors were yet upon the Throne; an important shire knight complained to the Speaker of there being no order within the assemblage, of divers gentlemen standing before the door of the House; hence a confused sound when the question is propounded; as well as a request from the complainant to the Chair to bid the crowd disperse. In the twentieth century, a member, wishing to go out of the House, makes, half-ashamedly, a kind of abortive bow towards the Chair; the same gesture, recalling an awkward schoolboy's asking for leave to quit the room, had become the vogue in the time of Elizabeth. From the period during which, under Edward III., the two estates occupied separate chambers, date back the traditions of parliamentary procedure, governed by definite laws; first came the casual tradition, or the accidental habit; next, as years went on, both of these crystallized into law. The actual work of codification took place, during the Long Parliament, which had now been reached, and which forms the commencement of the modern House of Commons. Before 1640 the duration of Parliaments had been brief and precarious; the Commons sat by the Royal favour, and rose on the Sovereign's word. At the same time, by the middle of the seventeenth century, as little as the country which they represented, were members themselves fully ripe for the continuous assertion of the executive power of the Lower House; with private interests of

importance to watch in their counties or boroughs, the knights and burgesses were disposed to shirk regular attendance at Westminster, in the same manner as they had resented, under the Plantagenets, their scanty wages or confinement to London. How to secure, and what should constitute a quorum was a question that the Long Parliament soon had to decide; the entry on the Commons' Journal for January 5th, 1640, shows a choice of the number "40" to have been originally accidental; the practice of counting out, by calling the Speaker's attention to the fact that the company have sunk below two score, was not resorted to till the eighteenth century, and absolutely for the first time on April 26th, 1729. During the Long Parliament the difficulty seldom seems to have been to make a "house," but very often to keep it. Speaker Lenthall was often tempted to complain of members, "so unworthy of their position that they could run forth for their dinners, or to the play-houses and bowling-alleys, leaving business of great weight"; it was manifestly unreasonable to expect the Speaker patiently to abide in his chair, waiting the revival of the assembly. Hence the custom of the chairman also retiring, during a brief interval, for his mid-day chop, or his afternoon tea. Before the parliamentary heats, generated in the nineteenth and twentieth century by Irish politics, the Speaker's threat to name a member struck such awe into the unruly as to preclude the necessity of its ever being carried into effect. The menace itself and its execution were first known during the opening session of the Long Parliament. Scenes, like those complained of at St. Stephen's under Elizabeth, were taking place; divers members, at the west corner, under the gallery, were talking too loudly; Speaker Lenthall, having more than once warned him, at last, by name, called upon Sir W. Carnabie to desist. The organization of the House, in the shape in which most of its real work is still done, was finally decided during the Stuart

period; that organization embodies the Lower Chamber's determination to shake itself free of Royal influence; a committee of the whole House is the form in which most of the business legislation is still transacted; this committee was the body that took special cognizance of the repeated demands for money made by Charles I.; it was, too, a committee of the whole House, that discussed Strafford's attainder, and that, by the often renewed proposals, brought forward only to delay progress, affords the first instance of systematic obstruction.

While the open rupture between Charles and the Commons was visibly, day by day, drawing nearer, many discussions took place on the withdrawal by the King from the House of the guard, which previously protected, without which it affected to consider its members were in jeopardy from Court hostility or popular feeling; this was the only period in the history of the Chamber when the sittings of St. Stephen's have been attended by any display of civil pomp or military circumstance. In Paris the sittings of the "*Corps Législatif*," or of the "*Chamber of Deputies*," have been something of a military spectacle; soldiers have presented arms; officers, with drawn swords, have formed the escort of ministers; there have been the blowing of bugles and the beating of drums; in contemporary England, the only pageant preceding the actual meeting of the House has been a little group, crossing the lobby through a retreating crowd, composed of the Speaker, his chaplain, secretary, and train-bearer; one or two messengers sometimes bring up the rear.

Speaking, April 18th, 1864, Disraeli happily described a characteristic cause of the national influence of the House of Commons in these words:—"When there is any great question of difficulty, the country feels that we are solving it, not merely by the present thought and existing intelligence of

the members of the House, but that we come down to its consideration fortified by precedent, and bringing to bear upon it the accumulated wisdom of the eminent men who have preceded us." This enunciation of the governing principle, which Parliament observes as regards itself, applies to its government over the empire. So far, the House of Commons leader who, more than any other of his contemporaries, conformed his own genius to that of the assembly ; nor can the deference, thus mentioned, be enforced more effectively than by discipline, based on usage rather than on law. Other forms of the House are historical monuments, transmitted to it by the Long Parliament ; during the middle of the nineteenth century a sitting had dragged on throughout the entire night ; day was about to break ; the benches were empty ; only a stray belated member or two remained on the premises ; the first rays of the rising sun fell upon the Speaker, sitting erect in his chair ; from that situation he could, save for some unforeseen intervention, no more be removed than the orb of day from the firmament. Presently an odd member appeared, and solemnly moved the adjournment ; the motion was formally put to the Chair, and carried unanimously ; the chairman was now at least free to retire. It has been already described how Denzil Holles and his friends had been constrained by main force to keep Speaker Finch in his chair till Eliot had made his speech. The existing inability of the Speaker to quit his seat till he has been " moved " out of it is a memory of the epoch when his servile predecessors, a Finch or a Seymour, at the King's wish, stopped debate by hurriedly rising from their place and leaving the Chamber.

The continuity also between the House of Commons in the seventeenth and the twentieth century is shown in the names of its members, even more impressively than in its customs or its rules. Oliver Cromwell justly described himself, when he entered the House, as " a gentleman, born neither to splendour



nor to obscurity"; the patronymic, taken by his ancestors in exchange for the hereditary Green was itself evidence of lineage respectably ancient. The Putney publican and blacksmith, of whom Thomas Cromwell, Henry VIII.'s "*malleus monachorum*" had been the son, had showed favour to some of these Greens; henceforward they took their patron's name. Oliver's uncle was a Huntingdonshire knight of good estate; a strong supporter of Charles; Oliver's ancestress, a Steward, was fabled to have connected the future Protector with the ill-starred Royal race. Pym, like Eliot, has been seen to belong to the best class of country gentleman. If these names are now no longer familiar at Westminster, those of other county families, whose members sat in the Long Parliament, were not less familiar at St. Stephen's in the seventeenth than in the nineteenth or twentieth century. There were Cecils from Hertford, Derings from Kent, Herberts from Wales, a Knightley from Northampton, a Percy from Northumberland; the West Country was represented in the Edgcumbes and Bullers, who had been sent from Devonshire; in the Trelawneys, who had come from Cornwall, by a Portman, who represented Taunton, and by a Kekewich, who was burgess for Exeter. There were also a Stradling and a Strangways; Bridgwater had sent the first avowed republican who had ever sat at St. Stephen's—Robert Blake, of the swarthy complexion and the expressionless but strong features, an invincible will, an inability to realize danger as complete as Nelson's, showing, in practical politics, the same shrewdness as in military service, on ship-board and on the field. The Eastern Counties were represented by a Bulstrode. There was one at least of the Midland county Howards. This therefore may be considered the first House of Commons of the modern kind. The five hundred shire knights and town burgesses composing it were representative of the same interests as those which the constituencies, created by the

Reform Act of 1832 returned members to defend. The men themselves belonged to those classes, country gentry and town squires, whose presence gave colour and character to the House, when in the old St. Stephen's Chapel, it was led by Fox, Pitt, or Canning; when, in its new Chamber on the ancient site, it has obeyed a Peel, a Palmerston, a Disraeli, a Gladstone. The rules which govern its debates were generally the same as those found sufficient till household franchise was created by the legislation of 1867 and 1884. The standard of oratorical or debating excellence, recognized in the last House of Commons of Charles I., remained that to which the chiefs of succeeding parliamentary generations conformed; not rhetorical display, but argumentative effect in the days of the Long Parliament became the first aim of the House of Commons' Speaker.

Omens, unpropitious to the King and to the whole Court party, showed themselves in the earliest incidents of the opening session. Instead of proceeding in State to Westminster, without ceremony of any kind, the Sovereign went in his private barge to Parliament Stairs. Charles had already endeavoured to secure as Speaker Sir Thomas Gardiner, a man of good presence and acceptable on both sides of the House. But party feeling against the Court ran even higher in London than in other parts. The City, for which Gardiner sat, now, by an overwhelming majority, rejected him. The efforts to secure his election elsewhere failed. The King, therefore, as a substitute for Gardiner, accepted Lenthall; of this man, whose name was soon for all time to be associated with the championship of parliamentary privilege, few at the first knew more than that he was a barrister of rising practice. Among the more distinguished members of the Long Parliament now returned to support Pym, or who sometimes gave Pym their vote, were his colleague in the representation of Tavistock, Lord William Russell; Lord Digby, eldest son of the Earl

of Bristol; Digby reflected in his mind, as well as manner, the affectations and the extravagances of his age, but endowed with sterling excellencies and the soul of chivalrous honour, his abilities, naturally great, were enriched by the results of his observation of men and manners at home and abroad, as well as by the best learning of the time.

The member who sat next to Digby was short of stature and generally of an appearance insignificant, even mean, but an intellectual light which the eye seemed to kindle shed distinction on the face; on the rare occasions that he addressed the House, those who were repelled by the unmusical, almost squeaking tones of a treble voice, often hung on his words for the sweet reasonableness of their argument and the temperate wisdom of their counsel. To most who were personally acquainted with Lucius Cary, the second Viscount Falkland, the mind of a philosopher, together with the spirit of a hero, seemed to reside within that diminutive figure. Digby was a master of graceful gesture; his vocal cadences, cultivated and melodious, seemed to extract from the English language notes more varied and deep than any other speaker could elicit. Yet Digby never impressed his contemporaries as did the member for Newport, Isle of Wight; for the borough Falkland had been returned some time before the Long Parliament met. Directly upon taking his degree he had gone through the usual course of European travel, he had settled down upon the property at Great Tew, Oxfordshire, left him by his grandfather; his father, Sir Henry Cary, Lord-Deputy of Ireland from 1622 to 1629, gave his son a good education, but could do little more; for his house, lands, as well as a very handsome income from other sources, Falkland had been indebted to his maternal grandfather, the lord chief Baron Tanfield. Formerly the colleague of Pym, Hampden, and Cromwell, Falkland, like Strafford, for some time acted with, and spoke ardently on the side of, the anti-courtiers.

Nature, however, had not intended him for a popular assembly in the stormy times. His place was in his country house (that college, as Clarendon calls it, situated in the purer air), amid his books, his papers, his lettered leisure, as the centre of the most intellectual society of his age, as the host of Chillingworth, Cowley, Hammond, Morley, and Waller; in spirit and conscience he belonged to no party; the political Hamlet of his epoch, he had been born out of due time, in times that were themselves out of joint. Already religious questions were exercising a disintegrating influence among the men whom common political sympathies had united against the King. With Hampden and Pym in matters of State, so far as spirituals and worship were concerned, Falkland might almost be described as a disciple of Laud. In this Long Parliament he is, as he still continues to be, the type of the detached intellect that a great statesman once spoke of as the "cross-bench" mind—the representative less of a single constituency than of that political temper which to-day renders it, as difficult as Hallam has described, for thinking persons retrospectively to adopt the Royalist or Roundhead label.

During the Short Parliament of 1639, most of those now prepared to support Pym had dispersed to their different neighbourhoods in the country, confident indeed as to the political prospect for themselves, but by no means despairing of a peaceful and honourable settlement with the King. Their very faces proclaimed how different was their temper now. Before the first day of the session, Pym and Hyde, who now represented not Wootton-Bassett but a Cornish borough, walked up and down Westminster Hall, closely engaged in serious conversation. Hyde suggested to his brother member several lines of compromise, on which all outstanding differences might, as he thought, peacefully be arranged.

The first week of the sessions of 1640 was occupied with

nominations, committees, and receiving petitions. The petitions gave rise to several sharp debates on the familiar subjects of Church and State abuse. This was the period of the session in which Cromwell, whose previous appearance in 1629 has been described above, first figured actively in the Long Parliament; John Lilburn lay in prison for dispersing Prynne's pamphlet, reflecting, as was thought, on the Queen's dancing. Cromwell now petitioned the House for Lilburn's release. In these discussions, most of the members just named took part. All such proceedings were only preliminary to what all instinctively knew must constitute the chief business of the session. On November 10th it was known that the Irish Viceroy Wentworth, Lord Strafford, had arrived in London. The next day, in a house, so crowded that many members for want even of standing room had been forced to retire, amid a silence so profound as to thrill all present with a sense of awe, Pym rose from his place to lay, as he said, a matter of the highest importance before the Commons.

A stranger's gallery did not then exist, but an adjoining room, wherein members sometimes saw visitors, was ordered to be cleared; the outer door of the House was locked; the keys were laid upon the table. Radiant in manner, with face slightly flushed by the anticipation of coming triumph, but perfectly calm and composed, Pym resumed, apparently from the place at which he had left off in the spring session, his speech on the miseries of the kingdom—now so grievous that men had only their wretchedness which they could call their own. Clearly the source of such calamities could not be a good and pious King. It therefore behoved them to inquire from what fountain these waters of bitterness flowed; what persons they were who had so far insinuated themselves into his Royal affections, as to pervert his judgment, abuse his name and wickedly apply his authority to countenance and

support their own corrupt designs. Many doubtless had exposed themselves to such a charge. But there was one more signal than the rest, being a man of great parts and contrivance, a man who, in the memory of many present, had sat in that house as an earnest vindicator of the laws and a most zealous asserter and champion of the rights of the people, but long since turned apostate from those good affections and become the greatest enemy to his country's liberties, the greatest promoter of tyranny that any age had produced. The speaker needed not to crown these words with the name of the Earl of Strafford, Lord Lieutenant of Ireland, Lord President of the North of England, who, in all his places and provinces, had raised monuments of his tyrannical nature. The effect of these terse, clear sentences, could not but be heightened by the contrast, which, to all hearers, the word suggested between the impeacher and the man whom he denounced. By this time, in the figure of the light complexioned and light-haired Pym, was seen the personification of law and order. Whatever forces could be antagonistic to the principles, represented by the Somersetshire squire, were personified in the proud patrician figure, the nobly moulded face and features of a tall, dark-browed Yorkshireman. When the Petition of Right was going forwards, Thomas Wentworth, Lord Strafford, as "Cock of the North," had been at once the rival and the colleague of the "Cock of the South," John Eliot. The Norman family to which he belonged occupied the same Yorkshire manor they had held without a break, since the Conquest. The Wentworths had intermarried with the greatest English houses. They claimed as their ancestor, John of Gaunt. Even though no Plantagenet blood may have flowed in Strafford's veins, a certain resemblance might be traced between the two men. Each embodied the patrician qualities that were typical of his age; Gaunt's quarrel with representative Government

generally, with the House of Commons, specially, and above all with its Speaker, John de la Mare, prefigured less intensely Strafford's feud with the popular cause. In private, both were men of profligate life. Both stamped themselves upon the imagination of their own epochs, as incarnations of the highborn aristocrat, exalted by his station above the moral laws binding meaner men. For Gaunt the decalogue had never existed. Strafford received the admiration of his parasites for his superb contempt of the seventh commandment. Among men of a later generation, the nearest approach in social and private life to Strafford was shown by Henry St. John, Lord Bolingbroke, whose "Patriot King" carried on the tradition of Strafford's "Thorough." Both Strafford and Bolingbroke were the soul and brains of their respective parties. Both were the greatest masters of oratorical prose, whom their ages produced. Nor was Wentworth wanting in those softer qualities and gentler traits that charmed Pope and Swift in Bolingbroke. The earlier, not less than the later, champion of absolution could play the bucolic and philosophic part with irresistible charm. Strafford writing letters on the beauty of detachment and seclusion and social retirement at Wentworth Woodhouse is a presage of Bolingbroke, between the haycocks at Dawley and meditating withdrawal from public affairs. Affectations of thought and style do not prevent the letters of Strafford and Bolingbroke from still being pleasant to read. Not only in their intellect and their morals, but in their general ideas of State policy may an analogy be traced between these two men. Champion of prerogative though he was, Strafford, like Bolingbroke, believed in good Government; he showed himself an instrument as well as advocate of certain popular reforms. The Viceroy of Charles in Ireland, improved the material condition of the country by the administration that brought the administrator himself to the block. At St. John's,

Cambridge, Strafford's studies were never so systematic and scholarly as those of Eliot at Oxford; from his tutor Greenwood,\* the best teacher of the time, he picked up a good deal not less of intellectual discipline than of literary culture; he also seems to have read and translated the Greek and Roman orators with the same exact attention to style and substance as afterwards was to be done by the younger Pitt, under the direction of his father, Chatham.

As regards power and pathos, Wentworth had been unexcelled at St. Stephen's; during his trial, he showed himself a master of oratorical effect. A strong point with the prosecution was Vane's written evidence that Strafford had publicly declared himself in favour of raising troops in Ireland to enable the King to overawe his enemies at Westminster. The positive evidence of high treason with which Pym confronted Strafford is not generally considered to have been conclusive. "When one thousand misdemeanours will not make one felony, shall twenty-eight misdemeanours heighten it to a treason?" So in reply to his accuser the impeached man said with reference to the chief count in the indictment. But the most effective passages in Strafford's finely conceived defence were pathetic rather than declamatory or argumentative. "That I am charged with treason by the honourable Commons is my greatest grief. It pierces my heart with sorrow, not with guilt, that in my grey hairs I should be so misunderstood by the companions of my youth." The effect of words like these was heightened by the speaker's perfect elocution and consummate command not more of gesture than of facial expression; sobbing violently, a lady first fell from her seat; a few minutes later she was carried out of

\* Between Strafford and his tutor was formed the same kind of lasting friendship as between another clergyman, Marmaduke Wyvill, and the younger Pitt. Wyvill was made by Pitt, as Greenwood by Strafford, his political confidant on subjects imparted to no one else.



the hall in a fit. This was Lucy, Countess of Carlisle, formerly the warmest of Strafford's many admirers; recently, however, she was supposed to have transferred her favours to Pym; she certainly gave Pym in the next year, 1642, early news of the King's meditated arrest of the five members. As for that Somersetshire squire, the State trial of 1641 first publicly confronted him with a former friend and colleague whose secession from the popular cause all thinking men had long foreseen. As Pym and Strafford stood opposite to each other, they seemed to be less accuser and accused than the incarnations of two conflicting ideas. Pride of birth was Strafford's master passion; it had caused his temporary defection from the Royal to the popular side; only because he had been superseded by a county rival in a county office, did Wentworth ever cast in his lot with the anti-courtiers. Impressively patrician in bearing and in person, the accused presented a curious contrast to his accuser; Pym, though of a fair family and noticeable for a powerful head with abundant light hair, crowning a big burly figure, lacked the finely-cut features of Strafford; in all things he looked a born champion of the middle class. While Wentworth yet ranked as an anti-courtier, Pym had foreseen his inevitable secession from the popular party.

As friends, the two men met for the last time shortly after the Petition of Right had passed and on the eve of Wentworth's peerage. "You," said Pym, "are going to leave us. I will never leave you while your head is upon your shoulders." After that the two men did not meet again till they faced each other in Westminster Hall. Once, during his opening speech, Pym caught the eye of Strafford, handsome still as ever, but terribly haggard and worn. Pym was human; for the moment the rush of old associations carried him away; he nervously fumbled his notes and could not for some seconds regain the thread of his argument. Finally he

was obliged to leave out some of his most carefully prepared points. The impeachment of the "wicked earl" ceases to belong exclusively to the House of Commons' narrative from the moment that Pym, having carried his motion in favour of it, rose from his seat to confront the State culprit in "another place." Then came the debate on the motion to impeach Strafford before the Lords—whether by attainder or another form of indictment. While denouncing Strafford and his practices as tyrannical and dangerous, Digby, in the best speech of the debate, declared himself against the Bill. In a House of 260, the motion in favour of attainder was carried by 204 against 59. Followed by 300 Commons, the Somersetshire squire led the way to the Lords. Here at the Bar, in the name of the Lower House and of the entire kingdom, Pym formally charged Lord Strafford with high treason. At the moment of the Commons entering, Strafford, according to one account, was in his place in the Lords; if absent, he speedily appeared. No fear nor shame marked the bearing of the accused man, as, in the words of one who witnessed the scene, "he strode with a proud, glooming countenance towards his place." The Peers bade him leave the Assembly; he walked to his coach in Palace Yard through a lane of gazing spectators, no man uncapping to him, before whom that morning the greatest in England would have stood uncovered. The coach was reached. Strafford never entered it, for as he was about to do so, the Usher of the Black Rod said, "Your lordship is my prisoner, and you must go in my carriage."

Preparations for Strafford's trial occupied nearly all the remainder of the Long Parliament's first session. The proceedings themselves were not to begin in Westminster Hall until the 22nd March, 1641. Meanwhile, the building was filled with workmen, erecting seats for the spectators. At St. Stephen's, committees were collecting evidence and beating

up fresh witnesses from the North of England, as well as from Ireland, to testify to the high crimes and misdemeanours of the accused. The few debates held were conducted by the triumphant Opposition in the hope of inflaming the country against the religion and the general policy of the Crown, rather than with any idea of serious legislation. Retributive justice was taken upon obscure officials who had supported the Crown in its exactions. Punishments inflicted by the Crown upon its adversaries were, as far as might be, cancelled. Their ears could not be restored to Burton or to Prynne. The fines inflicted on them were remitted. The men themselves were released from prison. In these discussions several new members took part; amongst them Sir John Wray—who soon developed into a most effective speaker—a direct ancestor of the Sir Cecil Wray that in another century was to be colleague of Charles James Fox for the borough of Westminster.

Wray's oratorical style resembled that of Pym; it was flavoured by a certain pungency of phrase, imparting freshness, as well as force, to instances not for the most part modern. The one man of first-rate genius at the disposal of the Crown disappeared with Strafford. The baneful spell of Royal despotism was broken. The victors themselves were still not without misgivings. Pym for the moment ruled the country as well as the House. The tone of his speeches, of Wray's, and of others on the same side, was that of men trembling at their own success and its responsibilities; the leaders had already begun to reckon the chance of soon being without followers. At St. Stephen's and in the country they now figured rather as agitators than champions and deliverers. The national spirit had deteriorated since the glorious impeachments of the Plantagenet time. Let the present House avert the Wrath of Heaven and escape the contempt of men by a timely display of decision and courage, and by acts con-

sonant therewith. Such was the monotonous refrain of the Opposition speeches recorded in the Journals of the House. Falkland personally had an undisguised dislike for Strafford. Digby to the last denounced him as the most dangerous subject that ever lived, never to be disarmed while breath was in his body. Both men, however, had voted against Pym's impeachment motion. The attainder and execution of Strafford marked a fresh stage in the differences which had already begun to divide the anti-courtiers in the House of Commons. The most representative speeches delivered during this period show the general idea of the Opposition to have been less to destroy the Church of England, or even necessarily to abolish prelacy, than to subject the Church to the State, as represented, not by the King for supreme governor, but by Parliament. They who held such views as these would have been content, if bishops were retained as religious officials, answerable in all things to the House of Commons; they would even have sanctioned the continued use of the Prayer Book, provided only certain objectionable clauses were expunged. During the earlier sessions of the Long Parliament the House of Commons was, without any party, bent upon replacing the Anglican establishment by Presbyterianism or Independency. This explains the popularity and influence with the Lower House of a man who, though never himself a member, controlled, in all ecclesiastical matters, many votes; James Ussher had in 1550 succeeded his uncle in the archbishopric of Armagh. In some unexplained manner he gradually drifted apart from the clerical life of Ireland. Coming to London about the time the Long Parliament first met, he was appointed preacher at Lincoln's Inn; in that position he became acquainted with Cromwell, himself a member of the Inn, and with other of the Opposition leaders; his moderation and reasonableness were comparable with Falkland; without seeking the distinction, he found himself established as the

extra-parliamentary adviser in all Church and in some State business of the popular party ; he never renounced his loyalty to Charles, or to the Episcopal Church ; he always enjoyed the favour and protection of Cromwell, who recognized his combination of encyclopædic learning with Calvinistic theology by giving him, after his death at Reigate, in 1656, a grand funeral in Westminster Abbey.

During the Short Parliament of 1639 Oliver Cromwell's voice does not seem to have been heard. In 1640, as member for Cambridge, his activity and consideration at St. Stephen's began to be variously shown ; during its first session he sat upon eighteen committees ; in addition to this, he held various responsible appointments of provincial character. East Anglian business and interests were constantly coming up in the House of Commons ; the member for Cambridge was one of the most active among the knights and burgesses in protecting the inhabitants of these counties from aggression by the Government or the Court. Throughout the fen district marsh lands were being constantly drained and public land enclosed by territorial aristocrats. A graduate of the University, as well as a member of the town, Cromwell took some part in an interesting debate, raised by Sir Simonds D'Ewes, in 1640, on the respective claims of Cambridge and Oxford to precedence ; D'Ewes had been at St. John's during Cromwell's residence at Sidney Sussex ; the two men were private friends, though often political antagonists ; as, during this debate, they sat near each other, they formed a striking contrast in appearance, not less than in character and pursuits ; the member for Sudbury bore the student stamped in his thin and stooping figure ; the member for Cambridge seemed even more the man of action than when, a decade earlier, he had denounced Romanizing practices in the national Church ; his presence, however, had decidedly improved ; his clothes fitted him better ; his shirt-front was cleaner ; his

manner generally less aggressive ; his voice not quite so harsh and grating ; he did not make his neighbours quite so uncomfortable. D'Ewes, a confirmed student, passed most of his time in his library at Stowlangtoft Hall, Suffolk, was never at St. Stephen's when he could be away from it. Cromwell only absented himself from Westminster when he went to Newmarket, and living much among his horses and dogs, was already preparing himself to become the best cavalry officer in England. The debate itself is of interest, less because of the circumstantial proof brought forward by D'Ewes to show, "with all due respect to his Oxford friends," that Cambridge was a renowned city at least five hundred years before there was a house in Oxford, while brute beasts fed and corn was sown at that spot, on the banks of the Isis, where the city is now seated, and that Cambridge had been a nursery of learning before Oxford possessed a grammar school.

The most important of Cromwell's interventions in the Long Parliament debates were the occasion mentioned above, when he presented Lilburn's petition for release, and his short speech, December 30th, 1640, for the second reading of Strode's proposal for annual Parliaments—a measure that, by subsequent changes in Committee, eventually became law as the Triennial Bill of the Long Parliament. The following year the member for Cambridge helped to form the Root and Branch party in the House of Commons, as well as framed more than one resolution to prevent bishops voting on the question of their expulsion from the House of Lords ; in these anti-Clerical movements Cromwell had the co-operation of Hampden and Pym. The life and soul of the attack upon the Church was a county member of great estate ; if his intellect had been as strong as his temper was obstinate it would have made him one of the first men of his age ; this was Sir Edward Dering—a tall, loosely-knit, but physically powerful man, with

a bullying manner, a sarcastic tongue, and an expression of cynical scorn stamped upon a not ill-looking, but perfectly bloodless, face. Dering was the first of those members of the House of Commons who, of an intellect too enlightened to sympathize with coarse, crass hostility to revealed religion, have been systematic enemies to the established order of the Church generally, and of bishops in particular; the more equal distribution of Church endowments and salaries was the cry of conventional Puritanism; it excited the undisguised contempt of Dering. "Large rewards," he allowed, "do beget high endeavours. When the great basin and ewer are taken out of the lottery, you shall have few adventurers for small plate and spoons only. If any man could cut the moon up into little stars, although we might have the same moon, or the same in small pieces, yet we should want both light and influence." Two hundred years later a canon of St. Paul's, Sydney Smith, arguing in defence of great prizes in the Church, almost verbally reproduced Dering's argument.

The same session that sent Strafford to the scaffold witnessed the keen, but not very interesting, debates annulling the exchequer judgment against Hampden; declaring illegal ship-money or any impost not enacted by Parliament; abolishing the Star Chamber and the Court of High Commission. When the Long Parliament entered upon its second year, Falkland and his friends, in their social gatherings at Great Tew, agreed with the views, now exultingly expressed by their former colleagues at Westminster, that the issue of the struggle had ceased to be doubtful. Since the Triennial Act debates, already mentioned, Cromwell frequently had been absent from the House; he took, however, some part in the proceedings which led up to the two great victories of the House of Commons in 1641. On February 15th of this year the King assented to the Triennial Act; three months later, May 11th, he sanctioned the resolution of the Commons

against a dissolution, save by its own consent. Meanwhile the House proceeded with its relief of sufferers from the severity of the Government. Prynne, already released from prison, was re-admitted to Lincoln's Inn, as well as to Oxford University, whence Charles had procured his expulsion, and thus enabled to resume his career. Strafford's death at first seemed likely to make easier collective action among the anti-courtiers; it was followed by no relaxation of Pym's efforts. A little later, in the autumnal session of 1640-1, the King had ordered the dismissal of the guard hitherto allotted to the Parliament. In Pym's own words, the great number of suspicious, disorderly, and desperate persons, especially of the Irish Nation, lurking in the alleys and eating-houses near Westminster, rendered such a protection necessary. Motions for the restoration of that defence were day by day brought forward on one side of the House; they were supported, or not resisted, on the other.

The country, if it periodically applauded, had not conclusively declared for the anti-courtiers and their policy. On the whole, the opinion was growing that the King had now made concessions to the parliamentary leaders sufficient to satisfy all reasonable demands. Strafford had fallen; his chief colleagues had fled beyond seas. Royal autocracy might be an evil; was parliamentary absolutism, which seemed the only alternative, an unmixed good? The majority of the nation certainly did not think so. Popular sympathies had, in fact, for some time been falling away from the Commons and setting towards the Crown. Pym and his friends therefore saw that if a decisive reaction in favour of the King were to be prevented, no time must be lost. The beginning of the autumn of 1641 was passed by Pym and his friends in considering reports received from their political managers in the provinces. The Opposition leaders then took the country themselves; they were encountered by many signs of popular



contempt and disgust towards Charles for having surrendered Strafford to the scaffold. At the same time, they could not conceal from themselves that the influence and popularity of the Parliament was steadily waning ; the public mind was still impressed by the striking personality of Strafford—a haughty patrician, as well as a profligate libertine it might be, but yet the best born, the most handsome, the most chivalrous nobleman of his time, who, by his demeanour at the block, had more than atoned for all his sins, political or moral. And why had this noble spirit been sacrificed? Only, whispered popular scandal, because Pym was jealous of his greatness, and of the favours he was supposed to receive from the lady to whose love the popular leader aspired—Lucy, Countess of Carlisle. “If,” said the quid-nuncs, “his majesty king Pym had not been in love with the mistress of the chosen minister of His Majesty King Charles, Strafford’s head would still have been upon his shoulders”; so by no means obscurely hinted the news-sheets and the letter-writers, which were the precursors of daily papers in the provinces, and of the fashionable *on-dits*, collected by “our special London Correspondent.” These agencies had already helped Pym to become the best-known and most powerful politician in the kingdom. They were now used to cause him and his friends serious inconvenience. Pym has no claim to be considered a great statesman or a perfectly disinterested critic ; he saw far ahead, and he saw clearly in a straight line ; he lacked a sufficient sense of the fresh collateral issues, with which at any moment the events of the hour might prove to be charged ; his imagination was not as, in politicians of the first rank, it always must be, the servant of his intellect ; a well-informed man, and surpassing most of his contemporaries in mere variety of knowledge, he had no turn for the philosophy of politics. In the House of Commons, however, he had few rivals among debaters ; he could be at times an impressive orator ; in the country, as an

election organizer and the planner of election campaigns, he was unapproachable. If the country showed no enthusiasm for the Parliament, he rightly believed that the skilful recital of the injury inflicted upon private property, as well as upon commercial enterprise, by the pecuniary encroachments of the King, and a statement of the heartless extravagance of the Court upon mere luxuries at a time of great national distress, together with a recapitulation of the standing menace to personal freedom, to domestic tranquillity, constituted by the fiscal and domiciliary prerogative, claimed by the Crown, would prove an indictment, against Charles and his Queen, of irresistible strength. Above all, he knew the constituencies to resent the interference by the Lords with the privileges of its representatives in the Commons. At least the debate and the division on this manifesto, hereafter to be known as the Grand Remonstrance, would inform Pym and Hampden of the votes on which, for future enterprises, they could count at St. Stephen's. The Grand Remonstrance was thus less an arraignment of the King than an appeal in the first place to the practical sense of the country, and in the second to the self-love of the House of Commons. Having won back so much of their historic rights, would the town burgesses and the shire knights consent to see these fruits of victory nullified by the support which the Peers were ever ready to give the Court in over-riding the decrees of the Commons?

At eight o'clock on the morning of the 22nd of November, 1641, the crowd in Palace Yard, the little groups of members in Westminster Hall, absorbed in earnest talk among themselves on their way to St. Stephen's, showed the imminence of a great debate. Inside the House, not only every seat, but nearly every inch of standing-room had been appropriated before the Speaker took the Chair. "Plaudite, plaudite" (the older equivalent of the modern "hear, hear"), welcomed Pym

as he rose to move the Remonstrance. Hampden sat on his friend's right hand ; Falkland, a little further off, close to Cromwell, who had only just come in. These two had already met and talked for a few minutes in Westminster Hall. Passers through the lobbies were struck by the external difference between the pair. Falkland, mincingly academic in talk and manner, fastidiously neat in dress, diminutive in stature ; in tone and gesture scrupulously deferential, urbane, and bland ; the voice, a thin treble, always weak, now, through habitual and overpowering emotion almost inaudible. Cromwell, on the other hand, had received some surface polish since his first appearance in St. Stephen's. More converse among a better company and a better tailor were observed by contemporary critics to have done wonders ; his bearing already gave some promise of the majestic deportment and comely presence eventually imputed to him. Grace was still wanting to the large, lumbering figure ; his costume could not be called neat. As if to scandalise the courtiers, his linen was still slovenly ; the voice pierced every corner of the Chamber, but was still harsh and untunable ; the whole demeanour of the man was peremptory and blunt.

The contemporary accounts of the reception given by the House to the Remonstrance are conflicting. Pym's explanatory speech was received with attention, but with no signs of enthusiasm. In the House itself, as they had already done in private talk outside, Cromwell and Falkland advocated opposite ways of dealing with the document. Falkland was for leisurely discussion ; Cromwell thought the motion would best be carried at a single sitting. Pym was about to close his speech, when the animosity his motion had excited began to break forth. Dering rose as Pym sat down, and, amid frequent cheers from the courtiers, in his most critical and supercilious manner proceeded to dissect the declaration, paragraph by paragraph, clause by clause, word by word. The

Remonstrance was exaggerated ; it was ill-considered. Above all, it drew a picture of England under the King—of oppression, arrogantly exercised by the Crown, pusillanimously endured by the people—which would go down to posterity, not only as an accusation against the Crown, but as a slander upon the English people. “Wherefore,” he concluded, in a tone and with a gesture which roused Cromwell, hitherto apparently unconscious of all about him, into a temper of angry restlessness, almost to frenzy, “I do here discharge my vote, with a clear conscience, and must say ‘no’ to this strange Remonstrance.” Throughout the whole day the debate continued. One or two lighter episodes interspersed in the discussion gave some relief to the audience. Before the debate had begun, Mr. John Digby, member for Milborn Port, on entering the House, stood on the ladder for ascending to the seats under the gallery. Speaker Lenthall told him to cease sitting on the ladder as if he were going to the gallows and to take his place. The House, of course, roared at the joke. After a short adjournment for dinner, Pym brought back with him into the House an anonymous letter, threatening his life and containing a rag supposed to be infected with the plague. The Clerk at the table read out the letter, dropped the rag on the floor ; at the Speaker’s suggestion, an official, or Pym himself, deliberately proceeded to kick both letter and rag out of the House, walking the whole length of the Chamber. Meanwhile the debate dragged on. Motion after motion for adjournment was rejected. It grew dark. A solemnly drawn motion that candles should be brought in provoked a serious discussion and more than one division. The lights at last made their appearance. The debate was resumed. About midnight the House divided on the main question. The “Ayes” were 159, the “Noes” 148. The Remonstrance was, therefore, carried by eleven votes. The Tellers in the Division had just re-entered the House to place the figures

in the Speaker's hands. At this moment, the over-wrought and long pent-up feelings of the House burst forth. Members hurriedly rose from their seats, instinctively clasped their sword-handles; while seemingly preparing to draw the warp across the House, close up to their opponents. The two parties shook their fists in each other's faces. "We were," says Warwick, "like Joab and Abner's young men, in the Valley of the Shadow of Death. A little more we had sheathed our swords in each other's bowels, but for Mr. Hampden's tact in securing at this instant the adjournment." It was at this impressive moment that there occurred one of those trivial distractions which, however it may be pre-occupied, are never lost upon the House. Some laths in one of the galleries gave a sudden crack. A stampede followed; the members seated in the gallery jumped out. The members under it charged for the door. One shire knight, Sir Robert Mansell, preserved his presence of mind, drew his sword, kept the crowd at bay and from trampling each other to death. The panic was thus stayed. Not before, however, Mr. Thomas Earl had broken his shin and the hat of Sir F. Cornwallis had been dusted with wooden splinters and lime. Some M.Ps., contriving to get clear of the House, were met by Mr. John Hotham, who dryly remarked, "I suppose from the excitement, some division has been taken on Deans and Chapters."

The discussion did not, however, end with the adjournment. The Remonstrance had been voted. To whom should it be addressed? The number of those advocating its direction to the King was on the decrease. Their policy was not, however, abandoned. An attempt to force it upon the House was made next day, when, exhausted by the fifteen hours' sitting, but ill-refreshed by a few hours' rest, the members returned to the dreary, unswept Chamber, still littered with fragments of paper and quill pens. Over-night a supplementary vote for printing the Remonstrance had been taken.

The point, however, was now debated once more. But the more responsible members, like Pym, were keenly conscious of the scandal the House had brought upon itself by the violent scenes which closed last night's sitting. The fresh debates on the Remonstrance itself that took place were rather wordy duels between individual members than general engagements between the two parties.

The narrow majority, according to one account not even eleven, but nine, by which had been carried the Remonstrance; the defection of Falkland, of Colepepper, and of Hyde to the Court, greatly encouraged the Crown. About the same time that he returned from Scotland, Charles received the Remonstrance at Hampton Court; he appointed Falkland Secretary of State, Colepepper Chancellor of the Exchequer; Hyde was to be in the new Government, without a portfolio. On the first day of December the Royal answer, drafted by Hyde, to the Remonstrance was as evasive as had been the reply to the Petition of Right.

Other events were about to hasten a more decisive issue. A Royalist officer drew his sword at Westminster against a borough member. Colonel Lunsford, a swashbuckler, whom the King, to annoy the Commons and the City, had made Constable of the Tower, personally led an onslaught upon an unarmed crowd, with the result that several citizens—among them Sir Richard Wiseman—were killed.

One more incident in Pym's career is connected with too important an episode in the House to be passed by. "*Allez poltron, pull these rogues out by the ears, ou ne me renvoyez jamais.*" Such were the words on an early day in the January of 1642, impatiently repeated by Queen Henrietta Maria in her husband's ear. So long as Hampden and Pym were in their places at St. Stephen's, and were free to organize the constituencies, the country was not likely to prove amenable to its discipline by the Crown. If the King were to govern, as

well as reign, his Queen clearly saw that the most troublesome persons among the Opposition leaders must be secured. While these were at large, the monarchy existed only on sufferance. Charles himself had long shrunk from ordering the arrests. Stung by his wife's fresh taunt, he decided upon overcoming his reluctance and on taking the step that was to seal his doom. Warrants of immediate execution were issued against John Hampden, Denzil Holles, Haselrig, Pym, and Strode. The report of Lady Carlisle having broken off her liaison with the Somersetshire squire is scarcely borne out by the fact that the Countess knew the measures contemplated against the five members in time enough to send warning to Pym. Between three and four, on a bright, still January afternoon, attended by 300 soldiers, Charles appeared at the door of St. Stephen's Chapel. With an oath, the soldiers thrust the door-keepers aside. The King entered, stopped for a moment at the Bench near the Bar, where Pym usually sat, then walked towards the Chair. Then, again looking round and seeing none of the five, the King reminded such as were present that yesterday he had sent to St. Stephen's his Sergeant to arrest Pym. At their peril, he charged the House to forward to him all five directly they returned to their seats. Exclaiming, "My birds are all flown," he came up to the Speaker. The question whether Pym and his friends were anywhere in or near the House only elicited from Lenthall the famous reply, made on his bended knees, "I have neither eyes to see nor tongue to speak in this place, but as the House, whose servant I am here, is pleased to direct me. I humbly beg your Majesty's pardon that I cannot give any other answer than this." "Privilege! privilege!" from a hundred lips, quivering with mingled emotions of resentment and terror, was the cry that rang through the Chamber. As the King went out the words were taken up by an excited mob in Palace Yard. In a storm of hoots

and hisses, the Royal coach was quickly driven off. Later in the day, minor officials of the House were approached by the Court as to the whereabouts of the wanted representatives. The only answer to be obtained from these was, that not so long ago Mr. Francis Nevill, a Yorkshire M.P., had been committed by the Commons to the Tower for repeating words said in St. Stephen's by Mr. Henry Bellaris. Meanwhile Pym, Hampden, and the rest had found an impregnable place of security. London proper then offered the same sort of refuge to fugitives from the Court as was found in the older parts of Paris by many during the revolution of the next century. Under the Stuarts the City was the place where 300,000 persons not only transacted their daily business, but had their homes.

London east of Temple Bar constituted a self-governing community, independent of the rest of the metropolitan area or of the kingdom. It was furnished with a complete civil and military organization of its own. East of Temple Bar existed, in the midst of a monarchy, a republic as independent of any other power as were Genoa and Pisa themselves. These democratic traditions of London have been thought in our own day to explain the long tendency of the City to return Liberals to St. Stephen's. In Coleman Street, therefore, whither they had gone, the five members were as safe as if, following the *Mayflower's* track they had placed the Atlantic between the Court and themselves. The Common Council not only resolved to protect them to the last, the entire Commons were invited, if for safety's sake they thought well to do so, to hold their sittings in the City. Some days were passed by Charles in personally searching for the "flown birds." Wherever they went, the Royal pursuers of the wanted members were hooted and hissed. Within a week four thousand Buckinghamshire yeomen rode up to London as a bodyguard for Hampden and Pym. Meanwhile at St.



Stephen's the King's menacing invasion of the House was unanimously voted a gross breach of privilege. His proclamation of the five members as traitors was denounced as a false, scandalous, and illegal paper. The excitement was too great to allow of ordinary business being transacted by the House; it was therefore adjourned till the eleventh of January. On that day the missing members were ordered to be in attendance and resume their parliamentary duties. Charles had gained nothing by promising the House an amnesty for the past and his friendship for the future; his rejected overtures were not repeated. Early in 1642 he left London, which he was only to visit again as the doomed captive of the Commons in 1649. The eleventh of January, 1641, came—a day as bright and windless as that on which Charles had visited the House a year ago. The Thames was crowded with armed vessels, as a guard to the sheriffs, who were escorting the members to their House. On shore, the streets were lined by the train-bands, armed to the teeth. Cheering multitudes of men, women, and children waited at street corners the coming of the patriots and pressed to touch the hem of their garments. Thus acclaimed and escorted, the five members entered the House. Pym at once took his old seat on the right-hand corner by the Bar, and rose in his own name and his friends to thank the citizens of London for their service to the House. Hampden, while his friend spoke, stood uncovered on the left hand. Beyond him were Holles, Hazelrig, and Strode, also bareheaded. Finally the Chamber passed a unanimous vote of thanks to the sheriffs. Still the House once more mounted its own guard, strengthened by a reserve force of train bands from the City. In the course on which it was now entering the Commons wanted money, but not unanimity. The presence of one or two men of the calibre of Thomas Wentworth (Lord Strafford), when he sat for Yorkshire, might have changed the balance of party strength, or

caused it so perceptibly to waver, as to have unnerved the parliamentary leaders. Resistance to the Opposition had, however, collapsed. For the time the House had ceased to make any pretence of being a deliberative assembly; it still possessed a minority of 175 on the side of the King; that little band placed no real check on the hostile majority of nearly 300. In the Upper House the distribution of sympathies was different. The courtiers could count on at least 80 votes; their enemies on not more than 30; the neutrals numbered about a score. As a result, however, of Pym's parliamentary diplomacy, the Upper House, notwithstanding its generally Royal prepossessions, at no time seriously exerted itself to counterbalance the hostile votes and actions of the Lower. In effect, it confined itself to registering, under protest, the decrees of the Commons. It perhaps supported, though with its opinion rather than with its vote, the King's refusal to give the Commons control of the militia and fortified places. A little later, as hostilities were commencing, the Lords, in the spring of 1642, ordered Sir John Hotham to admit no soldiers into Hull without an order by the Commons, countersigned by themselves.

On January 14th, 1642, began at St. Stephen's the debates which were to issue in war. Pym proposed that the House should go into committee on the State of the Kingdom; Hampden, that the Tower of London and the militia should be in the hands of Parliament; Cromwell moved the consideration of means to put the kingdom in a posture of defence. He had already contributed a sum of £600 to put down the rising in Ireland; he now subscribed £500 to enable the Parliament to begin arming itself. None of these proposals were carried till after some weeks' debate; the discussions, however, were protracted and tedious; they, at no point, caused the result to be in doubt. What had already happened under Henry VIII. when measures were taken for separating the

Anglican from the Roman Church, was repeated now. The House of Commons surrendered its right of private judgment, and voted as its managers or leading spirits desired. Pym's clever management won over the House of Lords. Nor did the Commons lack trusted officers, to whom they could safely commit the Tower and the ordnance. Throughout the first half of 1642, the country was ringing with the call to arms on both sides. Of parliamentary eagerness for the armed onset there were no signs. The common feeling of the Chamber, independently of the temper shown by the speeches of its leaders, expressed itself in growing reluctance to abandon all hope of a peaceful accommodation. Peace, however, at any price, is what the Commons would not buy; the terms must be of their own fixing. Control of the militia, indeed, of the whole armed force which the country could muster; the settlement of the religious question on rigidly Presbyterian principles—these were the cardinal conditions from which the leaders of the Opposition, who should now be spoken of, rather as the leaders of the House, than of the country, never had any intention of letting their followers depart; at each point the Lower House carried with it, almost unresistingly, the Upper; the Journals of St. Stephen's recorded the statutory affirmation of the essential points now contended for. In December, 1641, the Militia Bill, brought in by Hazelrig, supported, probably drafted, by Cromwell, had transferred the command and management of the trainbands from the King to a lord general, nominated by Parliament; the selection of Essex for that office south of the Trent, was the work of Cromwell in the House of Commons. At the same time, after a long debate, the Lower House sent to the Upper a declaration that, neither in England nor Ireland, should be allowed any religion other than that which was established by law. These proceedings in both Chambers had been attended by brawls and riots outside. Palace Yard

was the scene of daily encounters between Royalist swordsmen and a mob wielding clubs or staves, crying out the while, "Down with the Bishops and the Popish Lords"; resenting this treatment and anticipating their betrayal by a King who had so basely surrendered the noble spirit of Strafford, the spiritual Peers, their robes torn from their backs by an angry mob, ceased to attend Parliament; in their absence, they protested that everything done must be null and void. The representative Chamber's reply was to impeach and imprison the prelates who had thus expressed themselves; after this, very briefly to revert to what has already gone, it was that Charles first made overtures to his opponents by establishing the more moderate of them, Falkland and Culpeper, in his council, and immediately afterwards practically undid this work by trying to arrest the five members and setting the country in a flame.

The daily work of the House of Commons now ran in two parallel channels, widely separated from each other and respectively leading to two different ends. In June, 1642, Charles was staying at York, where the Westminster Parliament was represented by a resident committee; the Commons forwarded to their agents in the northern city nineteen propositions. These were in fact their ultimatum; they emphatically reiterated the claim to control the militia, as well as, in all details, to regulate whatever concerned the religious faith and practice of the people. Charles certainly had no idea of establishing Romanism, with which, indeed, he seems to have lacked personal sympathy; hence his reply to the queen, when she asked for better accommodation for the religious needs of her suite. "If your present chapel be not large enough, there is the great hall of the palace and the grounds outside." The new demand for taking away their vote from Popish Peers and for educating their children in

Protestantism, was no doubt prompted by personal dislike of Henrietta Maria and of her interference in State affairs.

A more practical reason than fear to touch the person of the Lord's anointed caused the Commons to delay to the last moment letting slip the dogs of war. Beyond the contributions of individual members, they were really without funds. At the end of May, 1642, their negotiations with the City for a loan entered upon a new stage; the Lords now supported their application as well as an order against the pawning or selling the Crown jewels, not less than the carrying these out of the country, on any plea whatever. On the 4th of June was completed the transactions, whose essential point was the advance of £100,000 by the companies and citizens of London at 8 per cent. on the security of an ordinance, passed by both Houses. The debates following this business were marked on both sides by an anticipation of the imminent hostilities. The strong mind of Cromwell and the clever management of Pym carried all before them; once more the courtiers ceased seriously to protest against the malignance. To preserve the peace of the kingdom against the King, now, it was said, manifestly bent on war, the House voted that the militia should be called out and exercised. The communications, now and henceforth interchanged between the Houses and the King, were really indirect calls to battle, rather than negotiations for peace. Charles, who, if he lost his temper, was never deserted in his most trying moments by sense of humour, had the best of this paper conflict; some of his retorts upon the Commons were singularly happy; the House had professed its anxiety to shield the Sovereign from affront, to which he was making himself a party by his continued absence from his capital. Charles now replied, "They would make us a great and glorious King by using all possible skill to reduce us to indigency and shame. They would make us to be loved at home and feared abroad, whilst they endeavoured

to render us odious to our subjects and contemptible to all foreign princes."

Even those proceedings, professedly the most pacific, had now become the most ominous presages of war. And the national feeling that had for some time been rallying to the King now suddenly and decisively went round to the leaders of the Commons. The Grand Remonstrance had not proved the success its authors expected. As if to prevent its being an entire failure, Charles, with incredible folly, had so far rejected the advice of the moderate parliamentarians who had gone over to him, as to attempt the blundering stroke against the five members. Yorkshire was the most loyal of counties, Hence the King had withdrawn to its chief town from London. But now one town, one district, one Riding after another had lost patience with the King. Local energies throughout the kingdom were paralysed; local interests of all kinds suffered. Business, urban and agricultural, equally were at a standstill, because of the prolonged agony of suspense. To such uncertainty the assurance of war would almost be a relief. Accordingly, June 4th, 1642, a representative meeting of Yorkshiremen laid before the King the inconveniences and the miseries of the existing situation; these views were embodied by Sir Thomas Fairfax, a county member, in a petition addressed directly to the King; it was read in and approved by the House of Commons, which adroitly identified itself with the nation by an unanimous vote to support the Yorkshire petitioners. The King retaliated by roundly abusing all implicated in the transaction, and by a proclamation warning his loyal subjects against recognizing, as regards the militia or the train bands, the military authority of Parliament; that, he said, was in strict accordance with an act which the Commons and Lords had passed in the seventh year of Edward I. The Commons at once sent up to the Lords a counter proclamation; this the Upper House

unanimously endorsed as binding upon all law-biding and loyal citizens. Many other counties were the scene of episodes like that which had originated in Yorkshire. Such time as the House could spare from the business of military organization was given to the impeachment of dissentients from its policy and pretensions, whether Peers in their counties, in their House at Westminster, clergymen, who preached the duty of kingly obedience, or bishops, who refused to prohibit such addresses from the pulpit.

Even sober and substantial traders, who had most to dread from hostilities, as their speeches in the House of Commons showed, were now beginning to turn from the monotonous tension of these confused and wrangling negotiations to the picturesque incidents that promised soon to give the country the appearance of a military camp. In the April of 1642, the King had demanded admission to Hull, as the place most convenient for the importation of arms and troops from abroad. The governor shut the gates and drew up the bridge. The King proclaimed him a traitor. The Civil War had in effect begun. It was not formally opened till, on August 22, 1642, Charles called upon his vassals for their duty and service by raising the Royal Standard on the Castle Hill of Nottingham. The spectacle was memorable rather than imposing. No great crowd had assembled. The very few men, the several women and more small boys that had come together, flung up their head-gear, cried out for King Charles, and down with the Roundheads. The scenes, which now became universal, have been described by many pens and painted by innumerable brushes. For Parliament or for King, the mustering of troops went steadily on.

The uniforms of the troops of the Commons were adapted from the liveries of their domestic servants. The famous high road to North Britain was dotted at intervals with bright patches of many colours. The silence of night was

broken by the rattling steel or by the music of psalms, sung round the camp fires of the parliamentary recruits. As dawn broke, it disclosed a company of the London red coats. These were followed by Lord Brook's in purple. Next to these came Lord Say's and Lord Mandeville's in doublets of blue. Pricking over the Chiltern Hills, their tasselled spears, gilded by the midday sun, rode the Buckinghamshire green-coats of Hampden. The orange uniforms of the men raised by Essex seemed everywhere. Eventually that hue was adopted as the collective badge of the Parliament men; an orange coloured silk scarf was worn over his armour by every officer serving against the King. The accoutrements were more generally picturesque than the mottoes, emblazoned on them, were uniformly original. Some were mere copybook tags—"God with us"; "Sanctus amor patriae"; the legend chosen by Essex, "Cave adsum," excited a good deal of Royalist mirth, when the troops thus labelled happened to be in retreat, or were levying contributions from reluctant villagers. Within a few days of the King's appeal to the nation at Nottingham, Essex, the nominee of Cromwell, found himself at the head of an army composed of some 1,500 infantry and rather less than 4,500 horse. These numbers implied efforts that for the time exhausted the resources of the Commons. There were negotiations for fresh loans from the City. Pym and Hampden both passed for moderating forces in the parliamentary councils. At this time, however, both men felt the necessity of placing pressure on the House of Commons, vigorously to pursue the policy initiated by the Grand Remonstrance. Their speeches, like the pamphlets, issuing from their pulses, left nothing unsaid that could inflame the country against the Crown. If no pretext for these denunciations were obviously forthcoming, it was readily manufactured by the popular leaders. Pym's great object from the first had been to cement the alliance between



St. Stephen's and the City against the King. He now artfully made fresh party capital out of the money wants on his own side. Once more the Commons had gone for money to the Common Council. At Pym's instigation, the City authorities refused, or seemed to refuse, the request, unless upon conditions which pledged the Parliament to a policy of "Thorough" against the King and all the Romanizing courtiers. He gravely produced and read in the House of Commons what he described as a statement of the City's reasons for hesitating to make the advance. Pym's most characteristic style is stamped upon every paragraph. There could, in fact, be no better specimen of Pym's clear narrative and argumentative English. It recapitulates in clear racy English his previous discourses on the foreign, as well as the domestic dangers arising to England from the Catholic sympathies of the Court. The effect in the country of the speech in the House was all that Pym could have desired. The City fathers were surprised and delighted by the literary force and finish of the manifesto, described by Pym as their "petition"; that account of it may have conveyed more or less than the actual facts; but revolutions are not wrought by rosewater; to this first among the great parliamentarians of the essentially modern type, the end justified the means. Besides being a consummate electioneerer and an astute parliamentary manager, Pym always contrived means, whereby the pith and point of his speeches should be known in every corner of the kingdom. Like popular leaders of a later day, he ever addressed the country through the House. When what was said at St. Stephen's immediately afterwards rang through the country, the publication of debates was merely a matter of time. Upon the present occasion, the Speaker was commanded to convey the special thanks of the House to the member for Tavistock for his great discourse, and further

to request him to put it into writing, that it might be distributed through the constituencies.

By this time many of Pym's colleagues had left London. Several of them were actually engaged in military operations against the King. More desired to be near the actual or probable scene of action. On the other hand, such members as were not in arms, but sided with the King, were assisting in the parliamentary session, held by Charles at Oxford. In London, therefore, at St. Stephen's, Pym had now become master of the situation. The House had formed a Committee for conducting the national affairs. In that body Pym filled the same place as that which Cromwell's military talent had secured him in the field. For the first time, perhaps, since the outbreak of the national troubles, the Lower House was gradually becoming popular in reality as well as in name. The political and constitutional aspects of the quarrel between the Crown and Commons had not yet deeply impressed the country. The prevailing sentiment in religion was one of temperate loyalty to the national Church ; its Catholic proclivities aroused, therefore, no indignation or heat.

The barbarities of the Inquisition in Spain were, indeed, to some extent, exercising the English mind. The anti-courtiers thought, therefore, that, with a Popish Queen and a Romanizing King, the coming inquisition in England would make a good cry. Meanwhile the uncertainty of the political situation was reacting disastrously upon industry and trade. An atmosphere of universal distrust brought every kind of enterprise and business to a stand. Pauperism was steadily increasing. The independent poor, in town or country, battling bravely against calamities, found it difficult to live. During these years the Court expenditure, lavish beyond precedent, gave the King's enemies a fresh handle against the Crown. The half-starving masses were reminded, with full details, that this season of scarcity had been chosen by the Sovereign for

squandering money upon jewellery for personal favourites,—£1,300 for a New Year's gift of a bracelet to his consort from Charles; £3,480 for other precious trinkets, bought for various purposes. Items such as these were not likely to be ignored in the political and popular indictment against the Sovereign. The press daily poured forth broad-sheets, denouncing the wastefulness in high places.\* The literary quality of these effusions might generally be low; that did not diminish their effect. Circulated together with copies of Pym's speeches throughout the kingdom, they appealed to whole classes upon whom these speeches were lost. Country cottagers, as well as the dwellers in the sordid courts and alleys about Westminster, now began to feel—what as yet had not occurred to them—that they had a personal grievance against the King and Queen. Gradually they were persuaded to see in the House of Commons their only deliverers from the extortion and ruin with which they were threatened by the Crown. The wives and daughters of the middle and of the lower middle classes now thought themselves injured. In the lobbies of St. Stephen's they reinforced the parliamentary opponents of the King. During some weeks these ladies had been observed densely to crowd the approaches to the door of the House. Major Skippon, the Commander of the Guard, now raised by the Parliament itself, before proceeding to stronger measures, had appealed to the unwelcome visitors to withdraw. One of the leading Amazons replied, that where there was now one, there would next day be five hundred.

\* A few extracts from these compositions will give an idea of their inflammatory tendency :—

“ Here is the pomp that strips the houseless orphan.  
Here is the pride that breaks the desolate heart.  
Here is health followed by grim disease,  
Glory by shame.  
Waste by lean famine, wealth by squalid want,  
And England's sin by England's punishment.”

Other voices now joined in, to the effect that if they were to die of want because of the King, his government might as well be put to the expense of removing their bodies. Major Skippon applied to the House for instructions. The Speaker seemed to think the matter somewhat outside his province, and mildly suggested to the Commander that ladies sometimes proved amenable to polite entreaty. While he himself declined to meet the visitors, he thought Major Skippon might manage to speak them fair and send them home again. Whatever Skippon may have done, the invaders fulfilled their threat. Two days later, instead of the tens and twenties, they were there in their hundreds or thousands. The bulk of the petitions already presented by Hampden and Pym from Buckinghamshire and other parts of the kingdom, seemed as nothing in comparison with the documents which the gentlewomen, tradeswomen, tradesmen's wives, and others of the female sex, all inhabiting London or the suburbs, all with the lowest submission, through their chosen representatives, presented to the House. There was not, said the petitioners, a single English household, not threatened by ruin and bloodshed, like that occasioned by the bloody wars in Germany and by His Majesty's late northern army in Ireland and in Scotland. Rather would the massacre and desolation now impending over England be greater than in Scotland and Ireland, because the southern kingdom exceeded in dimensions and in wealth the two other kingdoms. Unless Providence, by the wisdom and care of the popular House, should be pleased to succour, the petitioners saw no other prospect for themselves, but husbands slain, children before their mothers' eyes mangled with the sword or dashed to pieces on the stones, houses flaming fire over their heads, all the nourishment, as well as the shelter, required for life taken away by a Government that had no delight but in blood. The bloodthirsty faction of the Papists and Prelates manifestly

desired to spread the same misery throughout England as had already made havoc of Ireland. Wherefore the petitioners, following the example of the woman of Tekoah, were driven to fall submissively at the feet of His Majesty, our dread Sovereign, and cry, "Help! O King." Their only way of doing that was to secure first the help of the noble worthies of both Houses sitting at Westminster. The St. Stephen's Journals preserve the name of the authoress and chief presenter of this document. Mrs. Ann Stagg, wife of a brewer, a gentlewoman of quick apprehension, seizing the moment when Pym was leaving the House for the Lobby, thrust the voluminous MS. into his hands. The popular leader lost no time in submitting the petition to the Chamber. As soon as possible afterwards he again came to the door of the House, was at once met by Mrs. Stagg and her friends, informed them their petition had been read in the House, had been voted in seasonable time. "You shall," he added, "God willing, receive from us all the satisfaction we can possibly give to your just and lawful desires." That assurance would, he hoped, be thought satisfactory. Wherefore the ladies were entreated to repair to their houses and to turn their petition to the Commons into prayers at home for the House, that it might be enabled to do as it desired and promised. Thus, after the best part of two days passed within the precincts of St. Stephen's, the petitioners did that which both Speaker and Captain of the Guard had in vain asked. As we have already seen, Pym, on the eve of the Long Parliament, had instructed the whole country in the art of parliamentary petition.

Other petitioners than those now disposed of followed in a like vein. First, the apprentices and seamen; then the tradesmen and manufacturers; afterwards the porters, linkmen, watches, cabmen, or coach-drivers appealed to the House, in terms practically identical with those employed by Mrs. Stagg, and met with the same gracious reception and

promise of redress from Pym which he had already accorded to the ladies. The next business discussed in the popular Chamber directly followed from the assurances with which both these petitions had been met.

Pym, like Hampden, was not for destroying the Established Church. Both men were in favour of preserving a moderate form of episcopacy. It was Pym who, alluding to the proposed restraint of the more advanced sectarians, said it would not do to discourage friends. All hope of moderate counsels prevailing had during the Long Parliament's second year practically disappeared. Street mobs showed their anti-episcopal feeling by howling against prelacy as a common nuisance. If a dog with a black and white face ran across the street the rabble called him a bishop, and tied a tin pot to his tail. St. Stephen's reflected the prejudices of the streets. The Lords now made common cause with the Commons. When a conference between the two Chambers was announced, men knew the hereditary Chamber to be on the point of signing a fresh capitulation to the elective. Now, for the first time during the Stuart period, appears, as a popular leader at St. Stephen's, a man whose descendant was to become the leader of a party, traditionally opposed to that wherein his ancestor had a place. Sir Robert Harley, an Herefordshire squire, of old family and of broad acres, surpassed the Kentish baronet, Sir Edward Dering, in bitterness against the Church and State polity, to which Charles declared he was committed by his coronation oath. Dering, indeed, by this time, had been expelled from the House for ill-temper and abusive language. Harley effectually organized against the Crown many of those country-gentlemen of the same social class as Eliot, Hampden, and Pym, but whom these leaders had from the first failed to influence. Ingenious animosity against the established order, ecclesiastical and secular, is the chief feature in Harley's speech during the session of 1642, in favour of taking away the par-

liamentary votes of bishops. The measure, on going up to the Lords, caused a long debate. The proposal itself was accepted by the Peers with the same docility as those senators had shown in the case of the Commons Bill of Attainder against Strafford. The Bishops of Winchester and Rochester faintly dissented from the proposal to reduce their order to political nonentity. The Bill itself passed practically without opposition. Harley effectively used his Court influence to silence the Royal scruples. The statute for abolishing the Lords Spiritual as an estate of Parliament received the King's assent just before the beginning of the debates that ended in the Commons Militia Ordinance. Thus, as has been seen, disappeared the last hope of peace, and daily clearer became the certainty of war.

The chief feature in these discussions was the part taken in them by a colleague of Hampden and Pym, not yet mentioned in these pages. Bulstrode Whitelocke, in person curiously resembling Charles I., has a place in the same class of tolerant and honest politicians, the greatest ornaments of which, at the epoch now dealt with, were Digby and Falkland. First returned for Great Marlow, when the Long Parliament met, he at once became a nominal follower of Pym; that leader's suspicions of Whitelocke's loyalty to Charles were excited by often seeing him in the company of Strafford, and were expressed at a chance interview in the Lobby so animated as narrowly to escape ending in blows. Personally, Whitelocke was a convinced Roundhead. Social influences, and the associations of Eton and Oxford, at times disposed him, as they did so many others, to join the King. Unlike his more distinguished host of Great Tew, Whitelocke never left the popular side. An intellect, naturally acute and ingenious, had been trained to subtlety by his legal studies. Whitelocke resembled Eliot and Pym in being at once a lawyer and a country-gentleman. His speeches in the House

display, together with a power of logical refining, a dry and searching humour possessed by none of his contemporaries. His voice had first been heard at St. Stephen's in the debate on the impeachment of the Lord Keeper Finch. His contribution to the discussion on the Militia Ordinance is a favourable specimen of the trimming style then so often heard at St. Stephen's. The claim of the Commons to control, and by their nominees to officer, the Militia, could not but be regarded by the promoters of the measure as an encroachment upon the Royal prerogative. Whitelocke in his speech made no attempt to deny this. He gratified the Scriptural taste of the Opposition to the Court by an elaborate comparison between the Jewish kings of old and the modern monarchs of England—as the former could not undertake war abroad without the consent of the Great Sanhedrin, so the English Sovereign had no choice but to share with the House his control of the Militia. This, if for no other reason, because the money to pay soldiers of every sort must be voted by the House. Whitelocke could not, therefore, advise his hearers themselves to settle the Militia without the King, he would therefore only express a hope that by co-operating with the King the citizen army might be settled in hands that would be more careful to keep the sword sheathed than to draw it. Historically, the point most noticeable in this contribution to the debate, is the speaker's shrewd recognition of the jealousy felt by the Lower House towards anything in the nature of a standing army. Of that feeling a striking instance will be noticed hereafter. The use to which Whitelocke turned the sentiment—now against the Court, now by a rapid turn of argument against the Opposition—shows his thorough insight into the prejudices of the Assembly. Whitelocke's moderation had given him a mediatorial place in the earlier Houses of 1628-1629, when Denzil Holles held down in the chair Speaker Finch to hear Eliot's protest. "If," he said, "our



chairman be against us, we are dumb. That is blowing up the house without gunpowder. To have an idle Parliament, is to have no Parliament at all." Whitelocke's more judicial utterances, in the more heated moods of the House, had secured him the same distinction as belonged to Digby—that of having his speech burnt by the common hangman; it also produced a resolution of the House, that to publish or print any speech delivered in it without a special order from the Chair was a scandalous breach of privilege. Before Digby could receive this censure, he had been called up by his family title to the Peers. Hence Selden said, that "He did by the Parliament as an ape when he hath done some waggery: his master spies him, and looks for his whip; but before he can come at him, whip, says he, to the top of the house." Whitelocke remained in the Lower House to bear and to live down its wrath.

By 1642 the war of debate had been decided; the discussions that still dragged on served no other end than to mark time; the note pervading the debates was one of insincerity. Whitelocke, like Rudyard, belonged to a group of members, honestly anxious for a peaceful accommodation between the House and the King. None of the group were for giving Charles what he really wanted. Rudyard, indeed, amid cheers, had defined his aim as to get the old bed-ridden law, *Magna Charta*, walk abroad with the old vigour and lustre. Hampden had long since foreseen war to be inevitable; he had avoided all responsible expression of that belief. Nor at this moment did there seem any voice in St. Stephen's bold enough to justify or palliate an open rupture with the King. The Sovereign, in the eyes of the Assembly, as of the nation, was still the father of his people. To lift up a hand against His Majesty remained a crime, so horrible, monstrous, and unnatural, that the temper of Parliament recoiled not less shudderingly from the step than did the conscience

of the nation. Yet the subjects now chiefly chosen for debate at St. Stephen's, and the tone of the speeches delivered, were such as to remove the last chance of compromise or peace, and wantonly to inflame the quarrel by mingling with the political differences considerations spiritual and ecclesiastical of the most malignant kind.

Eliot, Hampden, and Pym had now so organized the Assembly that most of its real business was transacted, less in general debate or in committee of the whole House, than in select committees. If one of those smaller bodies could have conducted negotiations with the Upper House and with the Court, an arrangement might not have proved desperate or even very difficult. A popular Chamber, whose collective attribute was a morbid self-consciousness, which melo-dramatically had pitted itself against the Crown, could not have hoped, even if it had wished, to bring the discussion to a peaceful and practical close.

The cause maintained by the representatives at St. Stephen's was indeed that of the people. The country possessed no other agency than the House for the organization or expression of public opinion. To that extent, therefore, the Assembly may be regarded as popular. That epithet does not imply that it had any deep hold on the national affections. Its periodical fits of intolerance, of unhealthy sensibility, of irrational severity against all who underrated its dignity or wounded its self-love, could at best make Englishmen regard it as a lesser evil than the despotism of the Court. The chief complaint of the House against the Stuarts was the Royal interference with the traditional right of free speech. Under certain circumstances the Assembly could find, in the very exercise of that right by its members, a sin against itself. During the debates of 1641, on religion, Sir Ralph Hopton, M.P., criticising the terms of a resolution against the Crown's sympathy with Popery, condemned the motion to charge

Charles with being an apostate to his religion in his own person, as well as with endeavouring to bring his people to the same idolatry. The House so resented the sting of this criticism as at once to pass a resolution sending Sir Ralph Hopton for a short imprisonment in the Tower. These were the acts that explained the small majority—159-148—by which, in spite of the extraordinary means taken to bring up votes, had been carried the Grand Remonstrance. It had, indeed, come to this. The House now identified itself with the executive. Any disparagement of that authority was resented as a sort of high treason, and, as such, was punished. In the spring of 1642 a tailor, named Sandford, audibly cursed the Parliament over his tankard in a Blackfriars tavern; he was straightway brought to the Bar of the House, was at first condemned to the pillory, to ear-cropping, and to a fine. That penalty seeming insufficient, he was shut up in Bridewell in penal servitude and hard labour for the rest of his life. About the same time, within the precincts of St. Stephen's, Sir William Earl mentioned certain persons who were reported to have spoken disrespectfully of the Chamber. The Speaker was summarily instructed to issue a warrant for the wholesale arrest of any suspects. If there had been no Court, the popular verdict on the quarrel between Crown and Commons scarcely could have been doubtful. Charles would have had no need to unfurl his standard at Nottingham. The religion; the cupidity; the high-handed ambition of the Queen Henrietta Maria—these had at least as much to do as, probably more than, the Opposition tactics at St. Stephen's in alienating national sentiment from the Crown.

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## CHAPTER XII.

## THE HOUSE IN WAR TIME.

Not within scope of this work to deal with Civil War—Petitions addressed to the King from different counties—Debates on these languid and uninteresting—Opposition in reality the governing body of the kingdom—Edward Hyde—Chillingworth—Gradually increasing influence of Oliver Cromwell—Frequent peace messages from Charles to Parliament—Parliament's conditions—Publication of outrages by Cavaliers—In this Sir Robert Harley generally took the lead—Order voted to put nation in mourning for its sins—Resolution of Commons to abolish Episcopacy sent up to Lords—Assembly of divines ordered to meet at Westminster—John Selden—The different parties in the Westminster assembly—Impeachment of noblemen for raising troops for the King—Pym ruler both of Parliament and people—His popularity—Pym's appeal to the patriotism of the country always met by similar ones issued from Oxford—Fresh peace negotiations follow the battle of Edgehill—Pym and the City of London—William Skippon—Unanimity of the Commons—Scarcely any adherents to King amongst them—Pym's health failing—Events tending to depress him—Friction between the two Houses—The parliamentary exactions for support of troops not less burdensome than those of Charles—Pym moves for impeachment of Queen Henrietta Maria—Which measure passes the Commons without a division, but is ignored by the Lords—Death of Hampden—His character—Effect of his death on Pym—Sir Richard Manley's house headquarters of parliamentary leaders—Notable persons frequenting it—Pym their recognised leader—His character—An adroit party chief rather than a great statesman—His death and burial—Events immediately following the death of Pym—Parliamentary method of raising money—Denzil Holles and Blake—A contrast—Individual members, by rash speeches, give offence to the Upper House—Commons make efforts to remove that offence—Growing power of Independents—The Self-denying Ordinance—Sir Harry Vane the younger and Cromwell on it—Motion to retain Essex as Commander-in-Chief lost by seven votes—Sir Thomas Fairfax, Commander-in-Chief—Oliver Cromwell, though an M.P., retains his position in the Army—For making libellous statements concerning certain members of the House, a certain James Crauford heavily fined and imprisoned—Strained relations between the secular and

religious bodies—Payment of members—The payments to the Scots Commissioners—Compensation voted to members—Parliament and Scots Commissioners arrive at a compromise—The King's calmness on hearing of his betrayal by the Scots—Parliamentary debates during this period obscure and monotonous—Prynne, a champion of the Crown—His influence on the House—Pride's purge—Indignities to which the expelled members were subjected—The House appoint a day of fast and humiliation—Listens to a hypocritical sermon by Hugh Peters—Decision to bring the King to trial on a charge of high treason—New Great Seal ordered—Execution of the King.

It does not come within the scope of this work to follow the fortunes of the Civil War, or even to recapitulate any of its episodes, unless they bear definite relations to the House of Commons as a whole, or individually to any of its members. The Journals of St. Stephen's contain no records of debates on the Nineteen Propositions submitted by the Houses to the King in the early summer of the year that witnessed the outbreak of the struggle. In the short discussions arising out of these proposals, the chief part was taken by comparatively unimportant members. Many counties, following the example of Yorkshire, framed petitions to the King, pressing upon him the acceptance of the parliamentary terms, and the avoidance of war with his people and Parliament, even at some cost to his own dignity. These documents were generally read in the House; they sometimes gave rise to languid, uninteresting and desultory conversation, rather than to stirring debates. Dulness had settled down on St. Stephen's. The victorious Opposition found itself transformed into the Government; its most effective critics had either left public life, or were with the King at Oxford; private members, on whichever side of the Speaker they might sit, made a House, kept a House and cheered the managers; they did no more. Falkland, in Clarendon's immortal phrase, "ingeminated peace" at Great Tew, or, as the King's Secretary of State, argumentatively worsted his opponents by disposing of verbose messages in terse, vigorous English.

The House had but recently voted him and one or two others to have forfeited their seats by continued absence. As a fact, Falkland had scarcely been seen at Westminster during the last twelve months. Edward Hyde had first appeared in the House as member for Wootton-Bassett in the Short Parliament; in the Long, he represented Saltash. Up to 1641, he voted as a follower of Pym, with whom he had been at Oxford, and had afterwards read law in London; a student of the Middle Temple, where his uncle, Sir Nicholas Hyde, the chief justice, held a high office, Hyde had mixed in the same intellectual society as that in which Eliot, Hampden, Pym and Selden, at one time or other, all moved. Like them, he often enjoyed the privilege of hearing Ben Jonson read favourite passages from his own plays, and of listening to William Chillingworth, as he related how, fresh from Trinity, Oxford, the specious arguments of the Jesuit Fisher had seduced him into Romanism; how, when a student at Douay, pressed, for the encouragement of others, to write an account of his own conversion, he reviewed the steps which had led to it, made haste to retrace the error of his ways and became a Protestant once more. Thomas Hobbes, whose writings belong to this period, conceived and partly composed the *Leviathan*, as a guest of the Cavendishes at Chatsworth. Benjamin Disraeli designed and nearly finished *Coningsby* while staying with Mr. Adrian Hope at Deep-Dene. Chillingworth had for his host Falkland at Great Tew, when he wrote his *Religion of Protestants a Safe Way to Salvation*. At that time, being still in the prime of life, he had thoughts of going into Parliament. Walking with Hyde up and down the Great Tew bowling-green, Chillingworth recited the title of a new chapter, "The Bible only, the Religion of Protestants." "That," interrupted Hyde, "should be a speech in the House of Commons." But within a twelve-month Chillingworth took orders. In 1638 he became an

ardent Episcopalian Royalist and Chancellor of Salisbury Cathedral. During the war he nearly changed his cassock for a sword; he actually attached himself to the King's forces; he taught the cavalier besiegers of Gloucester the adaptation to modern uses of the old Roman *testudo*. But in the first session after the conflict had begun, the Royalists were without any representative at St. Stephen's of the same calibre as the future historian of the Great Rebellion. Hyde was already known to have composed the King's answer to the Grand Remonstrance, as well as other Royal documents of the same class; he had, therefore, well earned the privy councillorship given to him at the same time as to Culpeper and to Falkland by the King; specific office was refused by him, on the ground that he could serve his Sovereign better without a portfolio. Thus it came to pass that, during the sessions of 1642 and afterwards, the war of words at Westminster was unequal and uninteresting. Not indeed till the death of Pym in December, 1643, and his succession in the popular leadership by the younger Vane, is there much to attract attention in the debates of the House.

Meanwhile was steadily growing the influence in the House and in the country of the great man of action on the parliamentary side. Oliver Cromwell now sat for Cambridge; the common opinion and the almost involuntary action of his countrymen made him daily more and more, whether at St. Stephen's or in the field, the chief mover in the campaign against the King; from trusted agents in his borough, he had heard that Cambridge wealth might be likely to find its way into the Royal Exchequer. Sir Philip Stapleton, September 15th, 1642, was able to report to the House that, to prevent the university and the town from sending their plate, to the value of some £20,000, to the King, Cromwell had made himself master of Cambridge Castle and its contents. The House at once passed an ordinance for the indemnity of their

member, and those already concerned with him in the endeavour to prevent the King from levying war upon his subjects or likely to be concerned with him thereafter. On the other side, messages to the Parliament in favour of peace from the King now began to be frequent; sometimes these communications were delivered by a Peer, generally Lord Southampton; at other times by a Commoner, for the most part, Culpeper. The House never refused the show of treating these overtures as serious; its answer was always returned in the stereotype form, that until the King recalled his proclamations against Essex and other officers or agents of the Parliament; until the standard, set up at Nottingham, should be pulled down, the House could entertain no message from His Majesty. The reception given these appeals by the Popular Chamber was more courteous than that they generally met with in the hereditary. At the same time, the Commons took good care themselves to be informed of, and in no softened shape to pass on to the country, the outrages upon private households alleged against the King's followers; it printed in its Journals inflammatory details of the conduct of these marauders, relating how Mr. Marwood's house had been robbed, and his wife, a very virtuous gentlewoman of good quality, guiltless of anything except being a Protestant, had been affronted by ignominious words and treatment; "Protestant whore and puritan," according to the evidence accepted and circulated by the Commons, was the general way of addressing the wives and daughters of a Roundhead household. As the depository of the only governing power now existing, the House of Commons, in these matters generally led by Sir Robert Harley, after a discussion which constitutes a picture, gloomy enough, of the sorrows of the time, voted an order for putting the nation in mourning for its sins; the Royal proclamations in favour of playhouses and public sports were all repealed. "While these sad courses



and set times for humiliations do continue, public stage plays shall cease. In their place, the people are admonished to a profitable and seasonable consideration of repentance, reconciliation and peace with God ; until peace and prosperity shall again bring joy and gladness." A week later the Commons sent up to the Lords the resolution to abolish episcopacy ; " The Government of the Church of England by bishops, deans and other ecclesiastical officers, has been found by long experience a great impediment to the reformation and growth of religion, as well as prejudicial to the State ; it is also distasteful to the Scots (throughout the Long Parliament styled brethren) ; it is, therefore, to be taken away." This event marks the ascendancy of the Root and Branch reformers in the House ; it also contains the seed of those differences, which were afterwards to bear fruit in the disintegration of the anti-monarchical party.

For the present the House of Commons acted as if it were politically and morally infallible ; in short, it thought itself not only king, but priest, prophet, primate and presbyter. The war had scarcely begun when the House ordered to meet at Westminster an Assembly for regulating the national faith and ritual ; this body was to consist of the nominees of Parliament, ecclesiastical as well as lay ; they were for the most part Presbyterians ; a compact minority consisted of Independents ; these were then gradually rising to power ; they bore little resemblance to their twentieth century descendants, the Congregationalists ; they have been described by Hallam as " a countless brood of fanatical sectaries, nursed in the lap of Presbyterianism, fed with the stimulating aliment she furnished, till their intoxicated fancies could be restrained neither within the limits of her creed nor of her discipline " ; there were also a few moderate Episcopalians, led by a man who, though he still passed for a member of the Established Church, bore it little love.

John Selden has been already mentioned as the member of the parliamentary party who combined with the humbleness of his origin the profoundest and most varied learning of his time ; he had begun his acquaintance with the State prison under James I. for his repudiation of the King's doctrine, that parliamentary privilege was a Royal grant ; as member for Lancaster, he helped to carry the Petition of Right ; for doing so he was again for eight months detained in the Tower, with Eliot, Holles, and Pym as the companions of his captivity. In the Long Parliament, he formed the first, in order of time, of the able and learned men who have represented Oxford University ; he had written a book to refute the divine origin of tithes ; in the House, however, he had voted against not only Strafford's Attainder Bill, but the motion to deprive bishops of their vote in Parliament—assented to by the King—and afterwards to abolish them altogether ; though he subscribed the Covenant in 1646, he always advocated reconciliation with the King ; throughout the period of the Westminster divines, among whom he sat as a lay member, he adhered to episcopacy. Notwithstanding the reserve and judicial temper that marked his advocacy of the existing ecclesiastical order, Selden could not prevent the ascendancy of Presbyterianism throughout the country. Selden's erudition commanded the admiration of all ; it seems to have been accompanied by an air of conscious superiority, which did not conciliate opponents ; his services to the Church, to the King, and to the cause of moderation throughout, were thus not so considerable as, with less of self-assertion and more of tact, they might have been. The decrees of the Assembly of divines were generally ratified by the Commons. To use the book of Common Prayer became a legal offence. Selden, however, and the lawyers who acted with him, both in the Assembly and in the House, had under-rated the dislike ingrained into the average parliamentary

mind, of religious independence of any kind ; this was not due to the growing power as against Presbyterianism of the sect that claimed Cromwell for its son and its champion. A third party in these religious discussions received their name from a German physician of the sixteenth century. The fundamental principle of the Erastians was that, in a Christian Commonwealth, Church Government should depend on the will, not of a spiritual ruler, but of a civil magistrate. In the Westminster Assembly the Erastians had been outvoted ; they were victorious in the House of Commons. The Chamber, which had swept away the known modes of Church Government, now proceeded to define or enforce the permissible varieties of religious faith. The denial of the Trinity, of the Incarnation, of the Atonement, of the Inspiration, of any part of the Old or New Testament, was made felony ; minor offences, like anabaptism or the denial of legally sanctioned presbyterian doctrine, were punished by imprisonment till the offender should recant the error of his ways. But the refusal by St. Stephen's to recognize or sanction proceeding against any religious heresy, save that which itself had denounced or defined, shows the mastery of the religious situation in the House to have been pretty equally divided between the followers of Calvin or Knox and the apostles of Erastus.

Who then were at this time the true friends of religious liberty ? Not, as is shown by the words of their spokesmen, written in the Journals of the House, the Presbyterians. Persecution formed as essential a part of the faith and practice of these as of the Papists ; not the Independents, for as yet these had no power. In the popular Chamber the members who stood up for what later ages understand by religious liberty were the few men left who had voted with Falkland, who had been of his company at Great Tew, who had studied in the intellectual and theological schools of Chillingworth, of

the "ever memorable" Mr. John Hales of Eton College, afterwards chaplain to the Dutch embassy, who, in later years, might have taken for their spiritual father Hoadly or Taylor, and have found their political oracle in John Locke. Cromwell was gradually making himself master of the Commons; he was so paving the way for the Independent triumph and the religious toleration which it is said to have introduced. As yet, neither in the extant account of Cromwell's speeches nor in the disposition of the Assembly he was beginning to control, are there many signs that the elementary ideas of toleration or liberty were beginning to be understood.

The secular business, that came before it, provided ample occupation for the House of Commons in war-time. It formed the headquarters and central office for the consideration of every kind of national business, as well as for the dispatch of its orders to its armies in the field. The King continued to issue commissions of array to county magnates, on whose loyalty he counted. Agents of the House were planted everywhere to give timely information of these proceedings. Scarcely a day passed without some fresh nobleman, generally the lord lieutenant of his county, being sentenced to the Tower by the Commons for raising troops to support the King. A constant fire and cross-fire of messages for peace between the combatants was kept up. After a whole day spent by the Commons in debating by what military steps best to advance the true interests of Church and Crown, their attention to some fresh overture was requested by the King, as the Protector of true Protestantism, the champion of law, of liberty, of the just rights of Parliament, the peace and welfare of the whole kingdom. At St. Stephen's the appetite for those proceedings, which had been whetted by Strafford's attainder, was now riotously indulged. The democratic ancestor of Queen Anne's Tory Earl of Oxford, also a Sir Robert Harley, a member of the House, proved himself indefatigable in bring-

ing up these impeachments ; Lord Strange, heir to the Derby earldom, the Marquis of Hertford, Sir Edward Windham, were among the earliest persons formally denounced by Harley ; the catalogue is so long, the proceedings themselves so monotonous and unimportant, as to render further mention of them equally gratuitous and unprofitable. Harley's, too, was the pen, which, before and after any new incident in the struggle, drew up an address to Charles, respectfully imploring him to leave his false friends, his mock Court, and Parliament at Oxford, to entrust his sacred person to his loving subjects and honest councillors at Westminster. Selden, who to-day lives rather for his *Table Talk* than as the leading authority on *Titles of Honour*, in his terse, homely language, said, perhaps, the best thing which has come down to us about the relations at this time between Charles, his Parliament at Westminster, and his followers through the country : "The King, calling his friends from London, because he has use of them at Oxford, is as if a man should want a little piece of wood ; he runs down into the cellar and takes the spigot ; in the meantime all the beer runs about the house. When his friends are absent, the King will be lost."

If King Charles were playing at Parliament on the Isis, King Pym, it became a common saying of these years, was ruling both Parliament and people on the Thames. The political temper of Pym has been justly described as, above all things, conservative ; he had at this time no idea of replacing the monarchy by a republic ; his one thought was, as it had always been, to bring back the absolute power claimed by the Stuarts to the limited, and not necessarily hereditary, kingship, rooted in Anglo-Saxon times, and sufficient for all the needs of the most illustrious among the early wearers of the English Crown. Pym, at least, never deceived himself as to the comparative failure of the Grand Remonstrance ; if that appeal to the nation had not absolutely miscarried, it had

produced nothing of the effect produced by the infatuated attempt to seize the persons of the five members. The accounts of Pym's secret negotiations to avert the final fall of Charles, if not to replace him on the Throne, are obscure and contradictory. There is evidence to show that, in the year of his death, 1643, Pym had not entirely despaired of a settlement, that would save alike the Crown and Charles. The House was now continuously in session, sometimes even on Sundays. When Pym could snatch leisure from the control of St. Stephen's, he was writing State papers in his library; he also performed many of those duties that would now be discharged by the Secretary of State for War; sometimes the document he penned was an order to the captain-general, Lord Essex, to restrain all impieties, profaneness, disorders, violence, and plundering among his troops; to give battle whenever and wherever might seem the best chance; of "rescuing the King and his sons from those desperate persons now about them"; the next object was to protect His Majesty's subjects from ill-treatment by all the soldiers, Parliamentary or Royalist. These instructions were exactly carried out as soon as they reached the military headquarters from St. Stephen's; Pym had long been the most powerful man in England; he now became the most popular. The national, rather than parliamentary, voice had originally nominated him to the leadership; the entire country's approval still kept him there. The keen eye of Pym had seen symptoms of the distrust and jealousy felt at St. Stephen's and in the constituencies of a standing army; he therefore omitted nothing which could identify the civilian and military agencies of the time. On September 22nd, 1642, he carried, without division, a motion for nominating a mixed committee of civilians, Peers, and Commoners, to attend the military operations, to see that the business of warfare was conducted with no avoidable unseemliness or inhumanity, and that the

parliamentary soldiers were supplied with all necessities, and even comforts ; whatever money might be wanted on the spot to secure these ends, the committeemen were authorized to borrow from the local authorities on the credit of Parliament ; on the same security they might requisition plate as well as money, or the necessary commodities themselves. On the other hand, in the courtiers, who formed his entourage, the King ever had near him a council of the same kind as the parliamentary committee. Every appeal to the militant patriotism of the nation made by Pym found its echo in an answering address, issued by the King, assuring his followers they would meet with no enemies but traitors, anabaptists, atheists, Brownists, and other wretches, leagued to destroy both Church and State. The train-bands were the subjects of the same sort of literary competition ; parliamentary and Royal manifestoes, claiming, as a patriotic duty, the co-operation of these bodies, followed each other in unvarying succession. These declarations to the English people were interspersed by protestations in a higher key and to a wider public ; during the October of 1642 appeared the first address of the Lords and Commons in Parliament to the whole world, conjuring mankind to witness how unwillingly, by the treacherous advisers of the King and the malignant enemies of the Church, they had taken in hand the sword. On the eve of the battle of Edge Hill a herald, Clarencieux king-at-arms, at the Royal command, implored all soldiers to return to their right allegiance and submit themselves to their Sovereign's clemency. Of actual members of the House, Hazelrig seems specially to have distinguished himself at this opening engagement ; in the debate at St. Stephen's, which followed the encounter, Sir Philip Stapleton, the special friend of Cromwell, is also honourably mentioned. The first and indecisive engagement in the campaign was followed by fresh peace negotiations between the combatants ; a conference of

the two Houses was managed on the Commons side by Pym, whose reported words disclose a feeling, that it might be better to concentrate energy upon prosecuting the war with vigour than to risk a waste of force on proceedings, whose futility was, from the first, assured.

Still continued the fruitless talk about peace between the two combatants. Famous names were borne both by the men who, in these negotiations, represented the Commons, and by the agent of the King; Lord Falkland, now the foremost figure among the Royal councillors at Oxford, was employed by his Sovereign as plenipotentiary minister; the principal intermediary of the Commons belonged to the family of the entertaining and indefatigable diarist, who had himself witnessed the attainder of Strafford, lived through the protectorate of Cromwell, and enjoyed the lettered ease of a prosperous official after the Restoration. The Sir John Evelyn, now employed by the House in which he sat as one of the members for his native Wiltshire, was one of the members returned by that county whom Charles had excepted from the list of local pardons; the others included in this category were Sir Edward Hungerford, Sir Henry Ludlow, and Walter Long; Evelyn is to be associated rather with the failure than the conduct of these insincere negotiations; through Falkland, the King refused Evelyn a safe conduct. On November 8th, 1642, the House practically withdrew from the proceedings.

One feature in these tedious communications, which served no other end than to waste time, is the rivalry shown by the two sides in justifying themselves to the City of London; Pym's chief work consisted in presenting narratives of events and in devising arguments to satisfy the citizens, that the Commons were animated only by the unselfish wish to rescue the King from his evil advisers, and from his own perverse self. His Majesty, in fact, had only two enemies to fear—one,



the deceiving spirit within him ; the other, the treacherous friends without ; let him but place his whole trust in the House ; so would he be delivered from both, and, indeed, from all perils. Personally, Pym stood well with the whole body of the London citizens, whose interests and prejudices he understood better than any member of his party ; his chief aim now was to prevent the apprentices of London from placing themselves at the King's service and to enlist them under the Parliament flag. This anxiety was natural. Without the constant reinforcements of men and money from the eastern side of Temple Bar the parliamentary generals could not have kept the Cavaliers at bay, until the genius of Cromwell, the wealth and organization of the eastern counties, decisively changed the aspect of the war. In all these efforts Pym found an invaluable colleague in a comparatively unknown member of the House ; William Skippon, a member of a family of London traders ; seems to have had a seat at St. Stephen's ; he had seen some service for the Dutch Protestants in the Low Countries ; he now became one of the parliamentary officers, commanding a portion of the thousand light horse and the three thousand heavy dragoons, supplied for the House by the City ; his popularity and power with the soldiers moved the admiration even of the enemies of the Parliament. Fresh from Westminster, he bivouacked with his troops upon the field, inspiring them, as Whitelocke says, with more courage by a few simple words than the set oration of others could infuse. "Come, my boys, my brave boys, let us pray heartily and fight heartily. I will run the same hazards with you. Remember the cause is for God, and for the defence of yourselves, your wives, and children."

Time wore on ; season followed season ; the debates of St. Stephen's, whose publication through the land practically was now almost as complete as if they had been formally reported from day to day, had persuaded the people that the repeated

peace messages of the King were not meant in good faith, and that peace could only come from a decisive triumph of the House. Every day grew denser the crowd of citizens in the lobby and in the approaches to St. Stephen's, pressing to know what resolutions were being arrived at inside. Gradually the parliamentary and the popular anxiety were less the conclusion of peace than its conditions; the commercial hall of London ungrudgingly placed their money and their silver plate at the disposal of the Parliament. In return, they insisted that the malignants or cavaliers should share with the parliamentary loyalists the cost of the war which Charles was levying against them; when the time came for considering the question of indemnity, was demanded an assurance of material compensation for the losses and sufferings of the citizens. The majorities by which these proposals were carried in the Commons showed the degree to which the House and the constituencies had rallied round Pym and his friends since the Grand Remonstrance had been carried only by eleven votes—a party victory scarcely to be distinguished from a moral defeat. In the last week of 1642 the Lower House unanimously voted an ordinance for assessing all those who had not already contributed to the support of the parliamentary forces; the levy of the first income-tax for war purposes ever raised in this country had been carried without a division in the Commons; at a single sitting it was passed by acclamation in the Lords.

At St. Stephen's no voices were now raised for the King. Occasional expression was, however, found. A Cornish member, Henry Killegrew, sitting for West Looe, had been asked to help the Parliament; he replied he would provide a good horse, a good sword, and a good buff coat to a good cause; he had then ridden off from Westminster to Oxford and placed himself and his fortune at the King's service. Another member, Sidney Montague, belonging to Cromwell's

county of Huntingdonshire, point-blank refused any assistance to the parliamentary general ; by forty-eight votes to forty-five the House expelled Montague, disqualified him from ever sitting again, and sent him as a prisoner to the Tower. Another member, Mr. Shute, one of Pym's parliamentary lieutenants in all his difficult negotiations with the City, was thought by the House to have grown too bold in expressing his views ; his brother members resented this freedom of speech as a breach of privilege ; Mr. Shute was made to kneel at the Bar, was rebuked by the Speaker ; promising to be more careful thereafter, he was not deprived of his liberty or of his ears.

If the proportion of Peers who adhered to the King underwent no diminution, the alliance of the two Chambers against the Crown grew closer as time went on ; it is attested by the large money contributions to the common cause by the Lords towards the close of 1642. Throughout the year 1643, the severe strain imposed on the Somersetshire squire uninterruptedly since the preparations for the Long Parliament began, were visibly affecting Pym's health. Of late, various incidents, trifling in themselves, had depressed him ; signs of misunderstanding between the two Houses increased. Pym's tact formed the chief bond of the concert ; it was now threatened by the maladroitness of Pym's followers. Mr. Martin, a member employed by Pym at one of the conferences, had been publicly horse-whipped by the Earl of Northumberland for opening a letter to that nobleman from the King. A demand from the Commons for reparation produced a rejoinder that in future the Upper House would only communicate with the Lower through messengers of its own ; of the complaint that the chastisement inflicted by the Earl constituted a breach of the Commons' privileges, no notice was taken. This disagreeable business was crowned by tidings more discomposing from

the provinces. A letter from Sir John Hotham, Pym's nominee, who had kept the King out of Hull, was placed in Pym's hands; it announced that Sir Hugh Cholmley, the parliamentary governor of Scarborough Castle, had deserted to Charles; the fortress itself was at once regained; on Pym's motion, the House declared the traitor to have forfeited his seat for ever; but repeated affairs of this kind discredited the cause and disheartened the leader. Pym's diplomacy abroad had not accomplished all he expected. The Dutch Protestants, in reply to friendly overtures from the House, sent their best wishes, but promised no troops. Again a certain De-Luke had appropriated two young horses from the private stables of Charles. The Lords had ordered the prompt restoration of the animals; the Commons cancelled the decree. The country let it be known that its sympathies were with the Peers and the King. The leader of the Lower House now made a fresh bid for the enthusiastic support of popular puritanism by obtaining a vote ordering the *Book of Sports* to be burnt by the common hangman, and by laying an excise upon strong drinks, which practically prohibited the sale of all ales worth more than a penny the quart. The Great Seal furnished the occasion of fresh differences between the two Houses. The Commons had voted that the Seal ought to attend Parliament, and that the King, having taken it away, a new Seal must be made. The agreement eventually arrived at between the Houses ended the discussion, but left much dissatisfaction behind. A motion for taking forcible possession of the King's regalia and entrusting them to a committee, was carried only by a single vote.

These mortifications had in fact begun with Pym at the period of the Grand Remonstrance; the parliamentary reception and the popular effect of that manifesto had disappointed him; he had looked for it to elicit such an outburst of national enthusiasm as must dissuade the King from

an appeal to arms; it had as a fact precipitated the conflict. He detested the war; he loathed the growing need of almost daily going, hat in hand, to the City to ask for money. He was humiliated by the inconsistency forced upon him of squeezing from the country those taxes, for extorting which, he had encouraged his fellow subjects to rise against their King; he had acknowledged in more than one conversation with Hampden and other friends the force of the criticisms made by Charles of those successive encroachments of the House of Commons that were concentrating the whole power of the realm into a single estate. Arbitrary taxation, military supremacy—such were the exercises of prerogative declared intolerable when made by the King, though, according to the letter of the Constitution, vested in him. Yet what had been denounced as intolerable excesses in the Sovereign, were now part of the habitual practice of the House of Commons, whose troops, with the taxation and exactions necessary for their maintenance, were already beginning to be felt as a burden not less severe than the forced loans or impositions of Charles, the oppression of his bullying swash-bucklers and the billeting upon quiet households of his licentious and swaggering dragoons. Whatever he felt, Pym admitted no one into the secret of his disheartenment. "It would not do," he said, "to discourage any friends." Therefore, he became increasingly dependent on the support of an extreme faction. To gratify such persons, one of the latest acts of his public life was to move in the Lower House the impeachment of Queen Henrietta Maria for high treason. The religion of the Queen; the money, at a season of national poverty and distress, squandered by the King on her luxuries; the unpopularity of her foreign suite furnished the arguments against her, to which Pym chiefly trusted. She had, however, constructively been guilty of offences against the State more direct than these. She had gone abroad to endeavour to

borrow money from foreign princes and Popish financiers, that her husband might overcome his Parliament. On her return, she met the King at Edgehill with 3,000 infantry, several troops of horse and dragoons, six pieces of cannon, and much store of military ammunition. All these, as well as many other like details, were effectively used by Pym in his speech for the indictment. The Commons supported their leader without dividing. The Lords, when it came up to them, promised their attention to the resolution, but for the present shelved it. The country viewed the indifference of the Peers to the decrees of the Commons with a coolness, which convinced Pym that he had made another false step.

Earlier in this year Pym's enfeebled frame and failing energies had received a shock, from the effects of which they had not yet rallied. On Sunday morning, June 18th, as he could hear the bells ringing for morning service in his parish church, John Hampden was shot in the shoulder while leading his Buckinghamshire light horse to repel an onset of Prince Rupert's dragoons; he just managed to reach his neighbouring home alive, and then quietly expired. Hampden was not a consummate man of action like Cromwell, a scholar and student like Eliot, an astute electioneerer and parliamentary tactician like Pym. He possessed some of the attributes of each of these. His services to his party were not less distinct and necessary than those rendered by any of his colleagues. Without Eliot's strong rush of thoughts and power of terse and pointed expression, without Pym's debating skill, Hampden in the House never spoke to unwilling ears or to empty benches. He bore a character, which on both sides had the force of many arguments. Deprived of Hampden's presence and conciliatory influences at the most critical moment, Pym, instead of carrying the Remonstrance by eleven votes, would have been left in a minority. The House, excited and exhausted, after fifteen hours' discussion, found

itself in a condition highly electrical. The Remonstrance itself had barely been carried. There followed further debates on proposals, first to have it printed, secondly to address it to the King. A barrister of the Middle Temple, named Palmer, complained that he and others of the minority were deprived of their right to protest against the step; he demanded that the clerk at the table should take down the names of all the silenced dissentients. The word "all" was taken up as their battle cry by the group of members who sat round Falkland and Hyde. Angry gestures accompanied shouts. Screaming "all," "all," some waved their hats. Others drew their swords. Blood inevitably would have been shed. The war itself would have begun then and there. But in his most gracious and winning manner, Hampden interposed wise and timely words which stilled the tumult, and without bloodshed dispersed the agitated spirits.

The loss of Hampden proved the death-blow of Pym. Like his early friend and colleague, Eliot, Pym had more than once known what it was to languish in a State dungeon. But the robust constitution of the strongly-built Anglo-Saxon commoner from Somerset, unlike the slightly-made, passionate, over-sensitive Celt from Cornwall, showed himself to be proof against the depressing effects of imprisonment. Nor had Eliot the strong digestion and unfailing flow of animal spirits, which caused Pym to be prominent in the social life of his party and of the Assembly to which he belonged. At the house of Cotton, the antiquarian, Eliot and Pym often met to read in their host's library, or to take their place at his table. At this place, however, the atmosphere was more austere than was the case at Sir Richard Manley's, whose house, just behind Westminster Hall, was always open for his political friends. Much good fellowship was to be found here, as well as confidential opportunity for planning parliamentary action. Here it was that the leaders first defined the objects

of the Long Parliament as to release the victims of arbitrary rule ; to punish the instruments of that rule ; to render impossible its revival. "Grievances," said Pym at one of these gatherings, "must not merely be removed, but pulled up by the root." Cromwell and Hampden were among Manley's other friends present ; they signified their approval by the New Testament comment "Thou hast said it." To Manley's house also repaired Rudyard, the readiest speaker of his party on casual topics, which cropped up in debate ; Hazelig and Marten, the two most politically advanced of their generation ; Nathaniel Fiennes and the younger Vane, the intrepid leaders of the religious and ecclesiastical progressives. Marten had the reputation among his contemporaries of being "the droll of his party." The distinction rests less upon humorous displays in the House, than upon the oral report of effective repartees to personal observations in private ; Marten was connected by birth with the courtiers and Romanists. His father had been Judge of Admiralty as well as member for Oxford University. These paternal distinctions had caused a puritan over his cups to taunt the son with being descended from "a blue-nosed Papist and six-swinger." The ready rejoinder was perhaps less obscure than the affront.

All these men recognised in Pym their unquestioned superior and rightful chief. From the standpoint of to-day, Pym may appear rather as an adroit party chief, than a statesman of the highest type. It was his necessary business intently to search for legal precedents and constitutional formulas. These at moments may have obscured to him the broader and deeper moral issues of the time. He knew that, till the pretensions of the Stuart monarchy had been disposed of, Government of the country by the House of Commons must be out of the question. To establish that Government he had pledged himself, when, in 1621, he first entered the



House as member for Calne. These pledges were repeated when, in the first Parliament of Charles I., he transferred himself, as the colleague of Lord William Russell, to Tavistock. The opportunity for redeeming his promises only came with that Long Parliament, whose Lower House welcomed in him its natural leader. He was throughout an essentially Conservative politician, fallen upon revolutionary times. Those commonwealths have been ever the most durable and perpetual, which have often recomposed themselves. By this work they repair the breaches and counterwork the ordinary and natural effects of time. It has been already seen that Pym was born of a Royalist family; all the social influences at home were exerted to keep him on the King's side. In his later life other agencies were employed to detach him from his anti-courtier friends. Like Hampden, reluctantly he was led to despair of inducing Charles to keep faith upon any terms. No man knew the true character of Pym better than his early associate, the King's first councillor, Wentworth, or than his later adviser, Falkland. Hence the political intrigues in which more than once Pym seems to have been enmeshed. What may well seem surprising is, not that Pym escaped these toils, but that statesman with a knowledge of character such as belonged both to Strafford and Falkland, did not impress upon their Royal master the suicidal perversity of a course that arrayed against him country gentlemen of the type of the squire of Brymore. Such were the character and career over which the grave closed in December 1642. Death seems to have been the result, less of any special malady, than of nervous exhaustion. Pym was only fifty-eight—the age at which a modern statesman often begins his career. But the vital forces were spent; fatigue had worn out the machinery of life. The House did honour to his memory by suspending its sitting on the day he breathed his last. It ordered two further tributes to his memory, both of

them in those days unprecedented. It ordered him a burial and a monument at the public cost, in Westminster Abbey; the Speaker, followed by all the members, were present at the ceremony. A few days later it was decided by unanimous vote, as the only fit return answerable to the memory and merit of so great a man, to pay all his debts up to the amount of £10,000.

It had been supposed that the withdrawal of Pym would be followed by slackness in prosecution of the war, as well as by a fresh falling away of national feeling and of the Upper House from the Commons. That did not prove to be the case. The Earl of Bedford was one of several Peers who had seceded from Parliament to the King, and who, within a few days of Pym's death, was announced in the House of Commons to have returned to his former allegiance. As regards the impeachment of the Queen for high treason, the Commons never induced the Lords cordially to co-operate with them. It was not, however, till after the Restoration that the Peers expunged all mention of the proceedings from their journals. Meanwhile they interposed no veto; but so far sanctioned the motion of the Lower House as to search for precedents. The result was that the hereditary house appointed some half-dozen of its number as commissioners for bringing the Queen to her trial. To the eyes of the country and on all public occasions, the unity between the two Chambers was unimpaired. During the January of 1643, the London corporation invited the two Houses to a dinner at Merchant Taylors' Hall. Alderman Foulk, who drafted the invitation, specially complimented the Commons' leaders, and declared he had it in command to express from the whole City, that they were resolved in the present struggle to live and die with the Parliament. This civic support became daily more indispensable to the King's enemies. Financial crises were perpetually recurring in the parliamentary army. The

normal procedure then was for the Commons to draw the Bill, for the Lords to back it, for the City, in the stereotyped phrase, "to lend such sums as are necessary for this important occasion." The cost of anything approaching to a rupture between the Peers and the Commons, must have been such a failure of parliamentary credit on the money market, east of Temple Bar and elsewhere, as to compel the abandonment of the struggle. The relations, however, between the two orders experienced at the time a good deal of tension. If not collectively, yet by the public words of very representative members, the Lower House avowed its independence of the Upper with more intrepidity than discretion. Denzil Holles, as has been seen, was one of the members who, in 1629, had held down Speaker Finch in his chair, while Eliot defied the King and his agent by moving his resolutions against the Court religion, against Romanism, Arminianism, against all their methods and works. Holles, however, belonged to a noble family; he was the second son of the Earl of Clare. A staunch anti-courtier, he naturally lacked all social sympathies with the more extreme among his colleagues; during the intervals between the frequent divisions in the Grand Remonstrance debate, his tall slight figure might often be seen by the side of the burly bulldog presence of Robert Blake, the first avowed republican who ever sat at St. Stephen's. The finely-cut mobile Celtic features of Holles presented a contrast to the strong expressionless face of Blake. The two men were discussing the pros and cons of an hereditary peerage. On one occasion they nearly passed from words to swords. Nor at the period now reached, 1644, had Holles become argumentatively reconciled to his more advanced associates. General Cromwell had just characteristically declared to the Earl of Manchester his hatred of the nobility and House of Peers, wishing there was never a lord in England; he

loved such an one, he said, because they loved not lords ; nor would it be well till Lord Manchester was but Mr. Montague. With a peerage in his family, Holles naturally heard such remarks not entirely with complacency. And at his instance, as a result also of the intermediary offices of Sir John Evelyn, the Lower House made several efforts to remove the offence given by the ill-advised words of individual members. First came conferences between the two chambers. Then the Commons passed resolutions, expressive of their admiration for their lordships, whose noble ancestors had purchased and preserved the liberties of the kingdom ; expressly did the House repudiate the malicious scandals spread abroad overthrowing the peerage ; such an idea, the Commons “ detested and abhorred ” ; true, there were those who deem it necessary to reduce all things to their first principles, who know no way to perfection, but by confusion. May the thoughts of such men perish with them. The precise issue eliciting this outburst of respectful attachment to the Lords, was a proposal for giving additional power to Sir Thomas Fairfax, the parliamentary general, who, at Cromwell's instance, had replaced Lord Essex.

Cromwell, as an officer of rank in the Parliament's army, is first frequently mentioned in the debates of the House during the spring and summer of 1643 ; he is thus spoken of, together with Desborough, Fleetwood, and Whalley ; he had already been authorised to seize the persons, the money, the horses, and the fleet of malignants in the eastern counties ; he is now empowered by both Houses to take their corn, cattle, and other goods as well. The next great debates at St. Stephen's, connected with Cromwell, are in 1644, on the Self-denying Ordinance. These discussions mark the growing power of the Independents in the House ; they also display, in succession to Pym and in co-operation with Cromwell, the younger Vane as the popular leader at St. Stephen's. Prayer and fasting, to

ensure the Divine blessings, had preceded the introduction of the measure for depriving members of either House of civil or military office. It was actually proposed by a private member, Zouch Tate ; it was carried with only one division, but without any signs of zeal for its passing. According to Bulstrode Whitelocke, who represents in this, as in other matters, the well-informed and impartial opinion of his time, the Bill was the result of an intrigue for the outing of the lord-general, Essex, and for the compassing of underhand designs, which could be secured in no other way. Most of the speeches resembled monologues at a prayer meeting, rather than discourses in a secular assembly. Of Vane something has been seen already. Like many of his associates, he was half uncalculating visionary, half astute politician. In his own words, he had the birth, the temper, the spirit of a gentleman ; as a youth, he had inclined to the vanities of the world, and to good fellowship as a gentlemanly accomplishment ; at the age of fifteen he had been converted ; a year later he went to Magdalen Hall, then the most evangelical college in Oxford, as was that of Sidney Sussex at Cambridge. The son of an old Court official, he had received the promise of a Privy Councillorship ; he declined it on religious grounds. He had, as has been seen, failed in the governorship of Massachusetts. At the time he acted with Cromwell as Teller in the Self-denying Ordinance division, he had made himself within the House that which Cromwell was without.

Vane was followed by Cromwell, who, though listened to, because of the national influence which military achievements and unfailing genius for action commanded, was unpopular in the House ; if his appearance was less aggressive than on earlier occasions it had been, he had not, in the words of the parliamentary journalist, "arrived at the faculty of speaking with decency and temper." Some of the Puritan preachers had offended the House by their denunciations of

the morals of the age generally, and of the delinquencies of St. Stephen's in particular ; the one good thing which the Commons had done was, that many of its members had not kept out of gunshot after the war began. Till, however, these parliamentary fighters, officers and men, were less profane and more moral ; till, in fact, they had completely new-modelled themselves, it would be a tempting of Providence to look for success. Such seems to have been the first mention in the debates at St. Stephen's of the policy which, later on, was to express itself in the godliness of Cromwell's Ironsides, and in the drastic efficacy of Pride's Purge. That, as yet, Cromwell lacked any parliamentary following is shown by the fact that, though the Ordinance itself passed with little opposition, December 16th, 1644, a special motion to retain Essex as commander-in-chief was lost only by seven votes, 93 to 100. The partisans of Essex, who included the moderate leaders of the popular party, had hitherto been confident of triumphing over Cromwell. Holles, Maynard, Stapleton, and Whitelocke, having privately prepared to impeach Cromwell as an incendiary to the State, now talked openly of crushing him. The Peers had for some time grumblingly, but passively, acquiesced in the proposals of the Lower House. They now roused themselves to oppose, or, rather, to demur to accepting the Ordinance, as contrary to the privileges of Parliament. The debates in both Houses on these and kindred subjects dragged wearily along ; together with the continual conferences between the two Houses they occupied the best part of two years. The Commons' Journals were not very clearly or carefully kept during these troubled sessions. According to the official entry, it was not till the February of 1645 that the Speaker congratulated Sir Thomas Fairfax on his succession to Essex as the parliamentary general ; at the same time Essex, Manchester and Waller ceased to be the officers of Parliament. While the new arrangements were being dis-

cussed by the House, and for some time afterwards, it was also considering and debating the reports of abortive peace negotiations with the King, and of defeats inflicted upon him in the field. Simultaneously with these transactions was being enacted the farce of considering Cromwell's applications for an extension of leave to serve with the army. These at first were solemnly granted at intervals of about two months. Finally, the House, the army, the future lord-protector himself, wearied of the absurdity of the process. After January 27th, 1645, the lieutenant-general of the parliamentary force under Sir T. Fairfax did not, according to the House of Commons' Journal, give himself the trouble to apply for a longer lease of power. After Naseby, which, so far as concerns the House of Commons, ended the war, Cromwell had made himself the unquestioned master, alike of Parliament, people and King; he was, in fact, the supreme depository of all civil and military authority; enough has, however, already been said to show that the signs of a reaction against his absolutism had already begun to show themselves.

Meanwhile, the House of Commons lost no opportunity of showing an intention to make its power felt in every corner and by every class in the kingdom as not less real or heavy, than had at any time been the yoke imposed on the nation by the overthrown King. In the summer of 1645 a Nonconformist clergyman, James Cranford, declared, in conversation with friends on the London Exchange, that some members of Parliament were conspiring to overthrow its authority. He particularly incriminated Henry Vane, Crewe, Pierpoint, and St. John, solicitor-general. On July 18th, after many sittings in committee, the House found Cranford guilty of a scandalous libel, condemned him to pay £500 to each of the members whose names he had taken in vain, to confess his fault, kneeling down at the Bar, and to remain in prison during the pleasure of the House.

The severity of the victorious Chamber had at least a merit of impartiality. It had, in 1643, appointed the Assembly of Divines to settle the national religion. These theologians were, with few exceptions, democratic Puritans; the City of London was generally Presbyterian; the power of the purse made the House of Commons its creature. The Assembly of Divines became an agency for establishing the Presbyterian religion. The House, however, soon found out new presbyter to be not less objectionable than old priest. It professed itself shocked at the habitual ministration of the sacrament to notoriously evil livers. It communicated with the divines on the matter, but reserved to itself the right of deciding, by a committee, as to the qualifications for receiving the Communion. The clerical body objected that this was an infringement of the rights of Church government and of the law of Christ. The Commons rejoined by declaring this to be a breach of privilege. The divines were too many to fine, to imprison, or to send to the pillory. The relations between the secular and religious bodies became increasingly strained. From 1645 the House of Commons charged itself with the regulation of public worship in all its details, generally in the Presbyterian interest, until the power of the Independents, consolidated under Cromwell, "outed" Presbyterianism, as Cromwell himself had, by the Self-denying Ordinance, "outed" Essex.

In 1870 Mr. Peter Taylor moved to introduce a Bill for restoring the ancient constitutional practice of payment of members; the motion was rejected by 211 to 24; its author had, however, on his side all the historic facts. The last payment of this kind had been made in 1681 to Thomas King, member for Harwich, who obtained from the Lord Chancellor a writ *de expensis burgensium*. Lord Campbell had already delivered an opinion that such payments might be claimed without any new statute to enforce them. From the earliest



times salaries, or, in the old word, wages, were regularly paid to members of Parliament. From Edward II. to the close of Henry VIII. the representatives of counties were paid four shillings a day for their attendance at St. Stephen's; those of towns two shillings. After 1547 these payments were voluntarily made by constituencies, or voted by the House itself. Andrew Marvell, who sat for Hull after the Restoration, received a quarterly salary from his electors; so did the already-mentioned member for Harwich, Thomas King, three years after Marvell's death. During the nineteenth century the suggestion of reviving this practice was made, not only on the occasion already mentioned, as well as in his radical days, by Mr. Joseph Chamberlain, but in 1830 by Lord Blandford, in the Reform Bill which he introduced before the measure of Lord Grey. During the seventeenth century the tariff of parliamentary wages had risen. On August 20th, 1646, the Commons, in view of military expenses and national distress, unanimously abolished the allowances of £4 a week to their own members, as well as all pensions, payable to either House. The Scots' commissioners and soldiers did not acquiesce so easily in proposed retrenchments. In consideration of a cash payment they abated £100,000 of their demands. They seem even thus altogether to have received not less than £400,000 of English money.

Having compromised this claim, and found that some money still remained in their exchequer, the Commons proceeded to be generous to themselves; they divided among those members, who had suffered for the good cause, any balance which might be left. Denzil Holles, who had exhausted his ready money and mortgaged his estate to provide the Parliament with sinews for war, was awarded £5,000 for his damages, losses, and imprisonments. John Selden, Walter Long, and Benjamin Valentine, among the living, received the same sums; Samuel Vassal, the London merchant who

refused tonnage and poundage to Charles, was voted £10,445 12s. 2d. Among the dead, honour was done to the memories of those who had first fallen on the popular side. Sir John Eliot's, John Hampden's, and William Strode's representatives each received £5,000. To Sir Miles Hobart a monument, at a cost of £500, was voted in commemoration of his service and sufferings for the Commonwealth. A grant of £6,000 to Speaker Lenthall for his indefatigable attendance during the all-day and all-night sittings of the Long Parliament's earliest years, belongs to a different period. At one of these sittings, too, the House resolved that £25,000 should be set apart for the journey of the captured King to, and his stay at, Holdenby House.

The undignified haggings between the House of Commons and the Scots' commissioners had ended in a compromise. His northern subjects, to whom, after his defeats in the field, he had entrusted his person, for a cash consideration surrendered the King to his parliamentary enemies. This, as they were careful to explain, was not the same thing as selling him. The national conscience was scandalized by a Sovereign who, not only himself refused the Covenant, but would not put away his Popish wife or recant his declarations in favour of episcopacy. Money was going. The blameless Scot admitted it to his pocket, because he disliked the notion of its being wasted. It was an affair, not of corruption, but of coincidence. The honours of the transaction have long been admitted by history to rest with the King. The serenity and sang-froid displayed by Charles are the sole bright spots in this sordid business. He was playing a game of chess with one of his Court at Newcastle. A courier placed in his hand the letter, which he knew announced his betrayal to his enemies. He did not open it before he had completed a series of carefully-planned moves. When he read it he showed not the slightest signs of agitation or even interest. "Sire, I castle my king,"

observed his opponent at the game. "You will find," smilingly rejoined Charles, "they are going to do more to your king than that."

The debates at St. Stephen's, which belong to the period of these stirring incidents, are monotonous and confused. On the floor of the House of Commons was fought out no battle between the rival partizans of monarchy and republicanism, or between the friends and enemies of the imprisoned King. Obscure wrangles and selfish rivalries between the waxing Independents and the waning Presbyterians were varied by petitions for payment of arrears of pay, or for better treatment by the civil authorities, from a discontented and imperfectly disbanded army. The soldiers were, in fact, daily reminding the senators that real power had already gravitated to them. Statesmanship, it became daily more evident, for the present was superseded by the sword.

Presently St. Stephen's echoed with sounds more ominous than these to the Royal captive. The monarchy was to find a strange champion in a tall, gaunt man, whose features bore the signs of more than mere ill-health, brought on by prolonged trouble. His ears were wanting to his face—no unprecedented defect in those days of the pillory and of legalized mutilation. Into his hollow cheeks had been burned the two letters S. L. "Seditious Libeller" was the official interpretation of the two initials. The man who bore them, and who had taken an active part in the prosecution of the archbishop, declared them to mean "Stigmata Laudis". This unexpected champion of Charles was none other than the Puritan *Histrio-Mastix* of earlier days, whose words about the Queen had subjected him to every known kind of penal indignity, and who had only been delivered from his dungeon by the Long Parliament, of which he was now a member. His opposition to the Independents under Cromwell, and his resistance to the proposal of proceeding to extremities with Charles,

were presently once more to secure him expulsion from public life. For the present, however, during the first half of 1648, William Prynne was still at large upon the floor of the House ; he represented, in fact, now the same Cornish borough of Newport, which had been the first to send John Eliot to Westminster. The short Second Civil War, which at first had promised to retrieve the fortunes of Charles, had come to a close. William Prynne no sooner reappeared in the popular Chamber than, forgetting his old quarrel with the Court, with the sympathy, born of experience, he lifted up his voice to secure some alleviation of his sufferings for the imprisoned Sovereign, and some deliverance from the headsman's axe. Prynne now saw in a Sovereign reclaimed to the Protestant allegiance, and reigning in accordance with the parliamentary and national will, a security against Romanism, far more effective than an uncrowned despotism of fanatical sectaries, supported by Independent battalions. He now, therefore, urged the House to accept the answers returned by Charles to its latest peace proposals. "Let us," he said, "turn these words into bills. I doubt not but that, by God's blessing on our endeavours, we may, before this month be ended, settle such a firm and well-grounded peace between the King and all his people upon terms safe and advantageous for the national interest." Prynne spoke with a pathetic seriousness, which profoundly impressed the Assembly, whose cheerful countenances and words showed how cordially he had carried with him a House, from the first predisposed in his favour. The discourse, indeed, was one of the very few ever delivered at St. Stephen's which can be proved directly to have influenced opinion and actually to have changed votes. The debate lasted all through the Monday night till the morning of Tuesday, December 5th. Meanwhile, Cromwell and his soldiers were known to be marching upon the House to silence and to capture all members who declared in favour of the

treaty, advocated by Prynne in words, that exactly expressed the general sense of the Assembly. When the question was put some 340 members were still present; many more had been compelled by age and infirmities to quit the House at different periods of the eighteen hours' sitting, quite exhausted before the decisive divisions were taken. Of divisions there were, indeed, several. The majority in favour of Prynne was tolerably steady. The vote for accepting the treaty, when sent up to the Lords, was strongly confirmed. The hour had now come for Cromwell to show himself the man of action. Soon after daybreak, on December 6th, the general's displeasure with a vote of the House accepting the King's answers to its propositions was to burst in such a storm as had not broken over St. Stephen's Chapel since the King's attempt upon the five members six years earlier. Two or three regiments of horse and foot were by this time mustered in Palace Yard. Strong guards were stationed at all the exits and entrances of the Chamber. One of Cromwell's trusted officers, Colonel Pride, supported by Colonel Hewson, Sir Hardress Waller, and others, seized upon successive members of the Commons in the lobby or in the Chamber itself. "Mr. Prynne," said Pride, as that member was on the last stair, and about to take his seat, "you must not go inside, but come along with me." Prynne remonstrated that he was about to do his duty to his constituents; by what commission or for what cause was he restrained? The reply came with the butt-end of a musket, which felled him senseless on the floor. These scenes were repeated at intervals throughout the day. About three in the afternoon the Rev. Hugh Peters, one of General Fairfax's Independent chaplains, appeared in the lobby to give, as he said, spiritual consolation to the rudely-arrested parliamentarians. By the power of the sword this reverend gentleman justified the seizures already made. By the same authority he now assured Sir Benjamin Rudyard

and one or two more members of their present release, pending their removal to Wallingford, where they would be treated with all due consideration. As a fact, they were carried, not to this rustic retreat, but to the "Backgate of Hell"—a low tavern which went by that name. In this inferno the still-protesting M.Ps. were thrust into a coffee-room of some six feet square; they were afterwards translated into two upper chambers, which they pleasantly called heaven. Towards midnight Sir Robert Pye, and one or two more who lived in the neighbourhood, were offered liberty upon their parole to appear before General Cromwell next morning. This condition seemed inconsistent with the privilege of Parliament; they preferred, therefore, to lodge for that night in Hell; for the most part ancient and infirm gentlemen, resting their heads not on beds, but on their hands, spending most of the night in discourses and walking, in singing psalms to God, without taking one moment's rest. Morning brought no deliverance, but fresh severities inflicted upon them as public malefactors. Shortly before noon, manacled like felons or traitors, they were conveyed to the council of war at Whitehall, where the general held out hope of an audience. On their arrival, his excellency was so busy as to be unable either to see them or to mention any day on which he could do so. The wretched Parliament-men were now marched on foot through slush and mud, ankle deep, under a strong guard—stationed before, behind, and on one side of them—through the busiest part of the Strand. Amid the jeers of the populace and revilings of the soldiers, as they that had cheated the kingdom of its treasure and them of their arrears, the honourable and right honourable gentlemen were lodged in the cellars of two low inns, the "Swan" and the "King's Head." Here they were to await, not release, but the arrival of fresh fellow-prisoners from St. Stephen's. Meanwhile Cromwell's soldiers had orders every day till further notice to stand at the

door of the House, and forcibly to exclude all belonging to it whose names were in the black list, which the sentinels, with much gusto, read aloud to each other. Already the general had assumed the pomp of the first magistrate in the realm. At last, however, the Commons plucked up courage to protest against this treatment of those of their number whose only crime had been attendance to their duties. Cromwell ignored the complaint. The House then tried procedure by way of compliment to the lord-general. His highness so far deigned to notice this, as to say that he had not been acquainted with what the army had done to the House, but that, since it was done, he was glad of it, and would by all means help them to maintain it. Such friends of Prynne as were still at large now plied the Speaker with daily motions for his deliverance, to the same end arranged repeated conferences between the two Houses. As a consequence, a gradual release of the prisoners was ordered. The lord-general grandly and graciously recognized a difference of degree in the guilt of the Commons and Peers he had seized; he promised that eventually all who could be trusted not to sin against the Commonwealth, in other words, not to cross his will, should be set at liberty.

The House now found itself in a mood of awed contrition, proper for a day of fast and humiliation for the sins of itself and the nation, and for a sermon, denunciatory of the King; it was preached by the parliamentary chaplain, Hugh Peters, known to the courtiers as the pulpit buffoon. The text chosen was from the Psalms—"To bind their kings in chains; such honour have all his saints." Peters, who seemingly deserved his nickname, pantomimically illustrated the deliverance of the Israelites from Egypt by binding something before his eyes for a moment, laying his head on the cushion, then suddenly raising it with a cry that he had a revelation how to do it. Charles was compared, not to Pharaoh, but to Barrabas, whom

the foolish citizens would have to be released. Cromwell's red-coats were called "Our Saviours," whom they would have to be crucified. The army, indeed, contained 5,000 saints, no less holy than those now enjoying the beatific presence in Heaven. Finally, the preacher had it from God himself to execute full justice upon the great Barrabas, now brought from Hurst Castle to Windsor. Kneeling, weeping, and lifting up his hands, the preacher implored Cromwell's saints not to let Benhadad escape.

The House of Commons was now stimulated into the performance of its high duties. It at once resolved, without dividing, that the King had been guilty of high treason in levying war against itself. Then followed an ordinance to bring Charles Stuart, for his wicked design of totally changing the nation's laws, to condign punishment. The court of trial was originally intended to include six Peers and three judges. When the Peers demurred to this summary procedure, the Commons voted that the court should contain neither judges nor Peers. The most emphatic protest against the doings of the Lower House was given, not by a member of it, nor by the Lords, but by a clerk of the House, Henry Elsyng, who resigned his place at the table at a day's notice. Meanwhile the Queen made, by letter, a pathetic appeal that she might be permitted to be near her husband. The only reply given by the Commons was to lay the letter aside without looking at it. Prynne now once more had access to writing materials. He protested against the resolutions taken by his House in a short printed memento. Directly it issued from the Press it was burnt, amid the hootings of parliamentary spectators, by the common hangman. The leadership of the House had, in fact, passed from any responsible member of it to the lord-general's Independent favourites, headed by his special preacher, Hugh Peters. Impatient for its recognition as the sovereign body, the House would not wait till Charles had



gone, but, early in the December of 1648, ordered a new Great Seal to be made, after the design of its most advanced member, the acknowledged wit of the Assembly, Henry Marten. Where the figure of the King had appeared was now engraved the House in session; the motto underneath ran: "In the first year of freedom, by God's blessing restored, 1648." The Dutch ambassadors, whose good offices the House for itself had already entreated, now interceded for the life of the King. The reply sent from St. Stephen's was a polite congratulation to the envoys on their safe arrival; a wish that their stay might be pleasant; and a simple statement that it saw no reason to stay the proceedings of the court. A month later Charles was tried, convicted of high treason, and by the "bloody warrant" sentenced to the severing of his head from his body in the open street before Whitehall, January 30th, 1649. There came the gleam of an axe on a frosty morning upon a scaffold, covered with black. All was over, but the death warrant of the dispatched King was to prove the decree, fatal to the men who signed it and, for a time, to the House of Commons itself.

END OF VOLUME I.









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